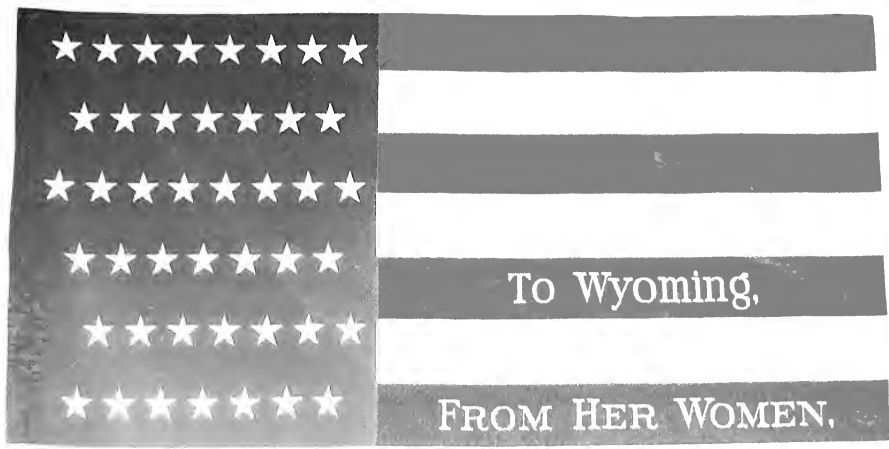


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# ANNALS of WYOMING

Volume 62, No. 1

Spring, 1990



IN HONOR OF THE STATE CONSTITUTION, 1890



The WYOMING STATE ARCHIVES, MUSEUMS AND HISTORICAL DEPARTMENT (AMH) was established in 1895 to collect and preserve materials which interpret the history of Wyoming. It maintains the State Historical Library and Research Center, the State Archives, the Wyoming State Museum, the State Art Gallery, State Historic Sites, and the State Historic Preservation Office. The Department solicits original records such as diaries, letters, books, early newspapers, maps, photographs and records of early businesses and organizations as well as artwork and artifacts for museum exhibit. The Department asks for the assistance of all Wyoming citizens to secure these documents and artifacts.

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*ABOUT THE COVER*—Thousands gathered in Cheyenne on July 23, 1890, to witness and enjoy Wyoming's official statehood celebration. Spontaneous celebrations occurred around the new state on July 10 after President Benjamin Harrison signed the statehood bill, but the official event had to wait until thirteen days later. After a parade through the streets of Cheyenne, the official ceremony took place at the Capitol. One of the featured orators that day was Therese A. Jenkins. Active in the suffrage movement, Jenkins spoke about the rights women would exercise in the new "Equality State" (inside back cover). After Jenkins' speech, Esther Hobart Morris presented on behalf of Wyoming's women a forty-four star flag to Governor Francis E. Warren. Today, the flag is in the possession of the Wyoming State Museum and will be exhibited during 1990. (Photograph courtesy Wyoming State Archives, Museums and Historical Dept.)

# ANNALS of WYOMING

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Spring, 1990

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## TABLE OF CONTENTS

### REFORM IS WHERE YOU FIND IT:

- The Roots of Woman Suffrage in Wyoming . . . . . 2  
by Michael A. Massie

### SOLVING THE JIGSAW PUZZLE:

- One Suffrage Story at a Time  
I. Introduction . . . . . 23  
II. Anticipatory Events . . . . . 25  
III. Passage of the Bill . . . . . 33  
IV. Motives and Machinations . . . . . 43  
V. Authorship, Conclusions, and Aftermath . . . . . 68  
by Sidney Howell Fleming, M.D.

ANNALS OF WYOMING is published biannually in the Spring and Fall by the Wyoming State Archives, Museums and Historical Department. It is received by all members of the Wyoming State Historical Society as the official publication of that organization. Membership dues are: Single \$5; Joint \$7; Institutional \$10; Life \$100; Joint Life \$150. Copies of previous and current issues of ANNALS may be purchased from the Editor. Correspondence should be addressed to the Editor. ANNALS OF WYOMING articles are abstracted in Historical Abstracts and America: History and Life.

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# ***REFORM IS WHERE YOU FIND IT: The Roots of Woman Suffrage in Wyoming***

*by Michael A. Massie*



ALL PHOTOGRAPHS COURTESY AMH

*W. H. Jackson photographed South Pass City in 1870.*

Casting a ballot on election day is an important responsibility for any citizen living in our democratic society. Yet, restrictions based upon race, age, and gender have restricted this fundamental right to only certain segments of the population for most of this country's history. In particular, women could not vote in most places in the United States until the Nineteenth Amendment was adopted in 1920, 144 years after the country was founded.

Wyoming has been dubbed the "Equality State" because of its perceived role in helping remove this political barrier for women, beginning with the passage of its woman suffrage bill in 1869, the first such law in the nation. The territory later insisted upon retaining its woman suffrage law even if it jeopardized its application for statehood. In 1890, Wyoming became the country's first state to allow women the right to vote.

Over the past 120 years, numerous people have written hundreds of articles and books attempting to explain why woman suffrage first took root in Wyoming. A vast majority of these works cite the contributions of two South Pass City residents, William H. Bright and Esther H. Morris, and imply that a grassroots, community effort led by the six foot, 180-pound Morris and culminating in a tea party, resulted in the introduction of the woman suffrage bill in the 1869 legislature. After the passage of the legislation, Mrs. Morris continued her work on behalf of woman suffrage by becoming the town's and the nation's first female justice of the peace.

Despite T. A. Larson's more thorough examination of these activities and his subsequent articles and books which challenged many of these views, the popular theories have persisted. Recently, one author wrote that thousands of people throughout the nation sent Esther Morris congratulatory telegrams after the passage of the suffrage bill. Until two years ago, a large, wooden historical marker next to a major state highway, just two miles from South Pass City, labeled the town as the "birthplace of woman suffrage."<sup>1</sup>

The roles of Bright, Morris, and South Pass City in Wyoming's early experiences in woman suffrage remain shrouded in myths and half-truths. If the sign is accurate and the tea party occurred, then South Pass City was the only town in Wyoming that actively lobbied for a woman suffrage reform before the first legislature met. If not, then

several questions begged to be addressed. What prompted the 1869 woman suffrage bill, and why was it passed? Was the introduction of the bill and Morris' appointment as justice of the peace the result of an organized community campaign in South Pass City led by women? Or, were these events the distinct result of individual actions instigated by personal beliefs? What were Bright's and Morris' roles? Answers to these questions would provide important clues to solving the larger riddle of whether Wyoming's extension of suffrage to women was the deliberate result of an organized effort or whether previously unrelated forces unexpectedly converged to spawn this reform in this Western territory.

Situated at the southern tip of the Wind River Mountains in western Wyoming, South Pass is a long, wide, gently-sloped pass that crosses the continental divide between the mountains and the Great Divide Basin. For the past ten thousand years, various peoples have used this corridor to travel west from the Sweetwater River to the Green River basin and then through the Rocky Mountains. In more recent times, fur traders, Oregon Trail emigrants, Pony Express riders, freighters, and stage coach passengers rode through the pass to reach settlements elsewhere in the West.

The peak of the Western migration, and traffic through South Pass, occurred from 1849-1851, as thousands of Easterners rushed to the California gold fields. The end of the boom encouraged many prospectors to widen their search for new deposits throughout the Rocky Mountains. From 1859-1870, hundreds of Western gold and silver strikes transpired, particularly in Colorado, Nevada, Idaho, and Montana. The ensuing rush to the discovery followed a general pattern. Prospectors quickly built a small camp in the wilderness, formed a mining district, and started several placer mining operations. Because the miners were not self-sufficient, merchants and businessmen arrived to supply the necessary goods and services, often transforming the temporary camps into more substantial towns. If the boom persisted beyond the first few years, then the economy diversified, increasing the settlement's chances of surviving the inevitable gold or silver bust. However, many towns died or faded to a shadow of their former selves.<sup>2</sup>

1. T. A. Larson, *History of Wyoming*, 2nd ed., rev. (Lincoln: University of Nebraska Press, 1978), pp. 78-94; T. A. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 74-78; Joyce Spita, *A Quick History of South Pass City, Atlantic City: Wyoming Ghost Towns* (Colorado Springs: Little London Press, 1980), p. 33.

2. For an overview on Western migration and mining, refer to: John Unruh, *The Plains Across: The Overland Emigrants and the Trans-Mississippi West, 1840-1860* (Urbana: University of Illinois Press, 1978); Duane Smith, *Rocky Mountain Mining Camps: The Urban Frontier* (Bloomington: Indiana University Press, 1967).

Throughout the early 1860s, several prospectors from Colorado and Montana and soldiers protecting the nearby telegraph line stopped briefly to pan for gold in the South Pass streams, but only uncovered small deposits. However, their luck soon changed. With the goal of inducing Whites to settle in South Pass, Major Baldwin, commander of Fort Bridger, permitted his troops to hunt for gold while scouting in the Sweetwater River area. In 1865, he outfitted a civilian party that discovered a rich lode, formed a short-lived mining district, and spent the winter mining the Miners Delight lode. Just ten miles to the west, Tom Ryan, leading a small troop of soldiers from the fort, found a sizable lode on Willow Creek, built a cabin, and started placer mining, before returning to Fort Bridger later in the year. For whatever reasons, Ryan did not return in 1866, and the small camp of miners departed South Pass in the early spring.<sup>3</sup>

Hearing about Ryan's discovery, approximately a dozen miners from Salt Lake City rode to South Pass in 1867, relocated Ryan's previous work, and named their claim the Cariso lode. When they uncovered a large deposit of gold in June, some of the men carried several thousand dollars in gold dust and news of the strike back to the Utah city. Soon, newspapers throughout the region, and eventually the country, announced the gold strike at South Pass. Within days, another party of men from Salt Lake City rushed north to Willow Creek and hundreds of prospectors from other Western areas arrived at the foot of the Wind River Mountains by the late summer.<sup>4</sup>

Land speculation, as much as mining, characterized the first months of the South Pass gold boom. In fact, most of the early boomers practiced both trades in an effort to claim as much of the perceived gold-bearing areas as possible before more newcomers arrived. By mid-July, the founders of the original lode and another large group of miners filed claims on every sizable gulch and large rock outcropping within several miles of the Cariso. Objecting to this practice, later prospectors eventually forced the mining district to elect new officers, changed some of the mining laws, and reopened many areas for new claims.<sup>5</sup>

This speculation exacerbated the confusion which typifies the early months of a mining boom. In the zeal to strike it rich quickly and leave, miners crudely and quickly constructed cabins on any convenient location in Altorus Gulch, just south of the Cariso lode. Within the first few months, several hundred men, mostly miners, initiated work on more than one hundred placer and hard rock claims, built an arrastra, dug several ditches to divert water, constructed a sawmill, and started several ranches and timber operations. By July 3, 1867, several days before Cheyenne was founded, Altorus City had been built, only to merge a few months later with a nearby camp and renamed South Pass City.<sup>6</sup>

The boom rapidly spread over the ten-mile mineral belt. In September a small party of miners near the Miners Delight lode reported another large gold strike, further fueling the rush. By the end of the month, Miners Delight (at times, referred to as Hamilton City) had been started and was soon connected to Altorus City by a toll road.<sup>7</sup>

South Pass' winter soon cooled the gold fever. Because the winters at eight thousand foot South Pass are long and often severe, most settlers left the mining camps for a few months, seeking the milder climates of Salt Lake City, Cheyenne, or another Western gold mining camp. After a winter respite of only sporadic mining activity, spring weather renewed the South Pass gold rush.<sup>8</sup>

Over the next two years, miners developed hundreds of placer claims and hard rock mines, with gulch mining usually providing the most lucrative results. Businessmen erected several stamp mills and arrastras to process approximately two million dollars in gold ore, mostly from the Cariso (Carissa today) and Miners Delight mines, although several smaller mines occasionally struck pockets of the precious metal. After most of the surface gold had been removed, a mining slump briefly occurred in early 1869, only to be followed by a final resurgence when over a quarter million dollars in capital arrived from investors in Chicago, Denver, and Salt Lake City.

During the peak of the boom, more than three thousand people inhabited the South Pass area, primarily living in South Pass City, Miners Delight, and Atlantic City, founded in April, 1868, and soon the district's second largest town. Because prospectors were not self-sufficient, businessmen quickly arrived in the Sweetwater mining district to "mine the miners" by supplying them with goods and services. Since men comprised a vast majority

3. C. C. Coutant, *History of Wyoming* (Laramie, Wyoming: Chaplin, Spafford, and Martin Printers, 1899), pp. 637-647.

4. *Ibid.*, pp. 647-648; James Chisholm, *South Pass, 1868: James Chisholm's Journal of the Wyoming Gold Rush*, ed. Lola M. Homsher (Lincoln: University of Nebraska Press, 1960), pp. 3-4; Mining Records of the Shoshone District, Book 1, pp. 1-9, Carter County Records Collection, Acc. #271, American Heritage Center (AHC), University of Wyoming, Laramie.

5. Mining Records of the Shoshone District, Book 1, pp. 1-40, 145-146, AHC.

6. Mining Records of the Shoshone District, Book 1, pp. 1-145, AHC.

7. Mining Records of the Shoshone District, Book 1, pp. 51-72, AHC.

8. *Sweetwater Mines*, March 21; April 1, 1868.

of the population during the early months of the boom, saloons dominated the business community. Within a few months, other merchants appeared and built mercantiles, butcher shops, hotels, restaurants, and other enterprises that served a population which was becoming increasingly diversified with the coming of families and ethnic groups. A bank, a newspaper, and a post office were also established. Freighters and stage companies hauled supplies and passengers along two trails originating from the Union Pacific Railroad to the south. By 1869, a building or a tent occupied all but a few lots along South Pass City's one-half mile long main street.<sup>9</sup>

Initially, the Sweetwater camps were located in Carter County, Dakota Territory, with South Pass City as the county seat. Due to the rapid growth of these towns and the larger communities along the Union Pacific Railroad, Dakota was persuaded to cede its Western lands in 1868 to form the Wyoming Territory. South Pass City remained the seat for the county that would be renamed Sweetwater several months later.<sup>10</sup>

Due to the independent, transient nature of the prospectors, political and social stability was difficult, at best, to achieve in the Sweetwater mining camps. Within a three year period, county commissioners, county attorneys, several justices of the peace, and town constables abruptly quit for numerous reasons, but primarily to depart to a more promising gold strike. On one occasion the county sheriff vacated the area with several thousand dollars in tax receipts, and South Pass City's postmaster left with a rather large payroll.<sup>11</sup>

Social order was not much better. Since most of the early miners hoped to strike it rich and quickly leave, they had little interest in paying for community services such as street repairs, indigent care, and government offices. Attempts to erect a jail in South Pass City were defeated twice in special elections. The arrival of businessmen and the first families in 1868 brought some stability, for these residents wanted to transform the South Pass gold camps into permanent towns. Their economic success depended upon the long-term survival of the communities. Eventually, streets were smoothed and straightened, county

offices rented, and a jail built with territorial and county tax funds.<sup>12</sup>

By 1870, several women and ethnic minorities inhabited the mining towns, particularly South Pass City, but White males still dominated the population base. For example, 24 percent of South Pass City's citizens were females, 2 percent of Mexican descent, 2 percent Chinese, and 3 percent Black. More residents originated from the Upper Midwest than any other section of the country. Politically, Sweetwater residents were generally conservative Democrats adamantly opposed to the Radical Republicans and intolerant of minorities. The *Sweetwater Mines* and the *South Pass News*, the town's newspapers, often printed derogatory and racist articles concerning Chinese and Blacks.<sup>13</sup>

In May, 1868, county Democrats held their party's meeting in South Pass City to select a delegate to the national presidential convention. An article in the *Sweetwater Mines* clearly warned that only those Democrats who "repudiated the Reconstruction policy of Congress, negro suffrage, and the principles espoused by the Radical Republican party . . ." should attend. Party members passed several resolutions at this meeting, including one that condemned the "Radicals" in Congress for forcing Black suffrage on the Southern states. Justice of the Peace James Stillman was one of several prominent citizens to deliver speeches in support of this proclamation. Chairing the meeting was a Southern Democrat from Virginia—William Bright.<sup>14</sup>

Raised in a poor family that could not afford to provide much schooling for him, Bright served in the Union army throughout the Civil War. After the war, he and his wife Julia, 21 years his junior, moved to Salt Lake City where he worked at a federal job. Hearing news of the South Pass gold strike, Bright joined a group of miners traveling to Altorus City, arriving in July, 1867. Competing with the original group that had discovered the Cariso lode, his outfit initially spent as much time staking claims as mining them, as they attempted to control as much of the mineral belt as possible before the inevitable arrival of more miners.<sup>15</sup>

12. Minutes of the Board of County Commissioners of Carter County, Book 3, pp. 6, 47, 80, 86, AHC; Minutes of the Board of County Commissioners of Sweetwater County, p. 18. Archives and Records Management Division, AMH; *Sweetwater Mines*, April 7; June 19, 1869.

13. 1870 Wyoming Census, pp. 499-505; *Sweetwater Mines*, May 30, 1868; *South Pass News*, September 20, 1870; April 5, 1871.

14. *Sweetwater Mines*, May 30; June 6, 1868.

15. Larson, *History of Wyoming*, p. 89; Mining Records of the Shoshone District, p. 9, AHC.

9. *Sweetwater Mines*, April 15, 1868; Robert Morris to Frankie, November 17, 1869, Morris Collection, H84-45, Historical Research and Publications Division, Wyoming State Archives, Museums and Historical Department (AMH), Cheyenne.

10. Folder, no number, Carter County Records Collection, AHC.

11. Minutes of the Board of County Commissioners of Carter County, Book 3, pp. 1-83, AHC.

Within a couple of days of his arrival, he owned shares in numerous lode claims, such as the Rockwell, Willow, Globe, Almira, and Cariso Extension lode, most of which were near the original strike at the Cariso mine. This work proved profitable, for he sold his share in the Cariso Extension for sixteen hundred dollars, one of the highest prices paid for a mineral claim in 1867 South Pass. He soon built a cabin on Willow Creek and staked a ¼ by ½ mile area along the creek. Although he insisted that he was just starting a ranch, this stretch of the creek had excellent potential for placer mining. He probably never intended to purchase cattle and sheep, and future gold miners ignored his claim, but not before he sold one-half of it for five hundred dollars to a partner in Salt Lake City. He also purchased lot 101 in the heart of the recently platted town of South Pass City. The lot was at the intersection of the camp's two most heavily-used streets. Bright remained in the camp long enough to attend the November 3 meeting that would settle several mining disputes created by the previous summer's fervor in speculation.<sup>16</sup>

Escaping South Pass' harsh winter, Bright rode back to Salt Lake City where Julia gave birth to their son, William Jr. After returning to South Pass City in May to purchase more town lots, Bright briefly moved his family to the mining camp in July before settling at Miners Delight, where he occasionally speculated in mining properties while working some of his mines. In December the Board of County Commissioners appointed him as the camp's justice of the peace. Resigning his position six months later, he and his family returned to South Pass City where he opened a saloon on his lot in the center of the

town. Bright's business joined at least twenty other saloons and wholesale liquor distributors in the town's business district, including his neighbor to the east, the El Dorado, which housed a bar as well as prostitution. He also purchased lot 30 on Dakota St., where his family lived in a log cabin perched on the west side of the hill overlooking the northern end of South Pass City.<sup>17</sup>

Why Bright opened a saloon is puzzling. He still owned mining property and considered himself a miner, as he declared to the 1870 census worker.<sup>18</sup> However, many prospectors had started businesses, hoping the enterprise would generate funds for additional mining ventures. If this was Bright's reasoning, then his timing was poor. Purchasing one of South Pass City's few failing saloons, erecting a large structure, and entering this cut-throat competition during a mining slump do not appear to be the prudent actions of a man who had proven to be a shrewd businessman during the first two years of the boom. On the other hand, Bright's political ambitions may have been as important as economic considerations in his decision to become a saloonkeeper.

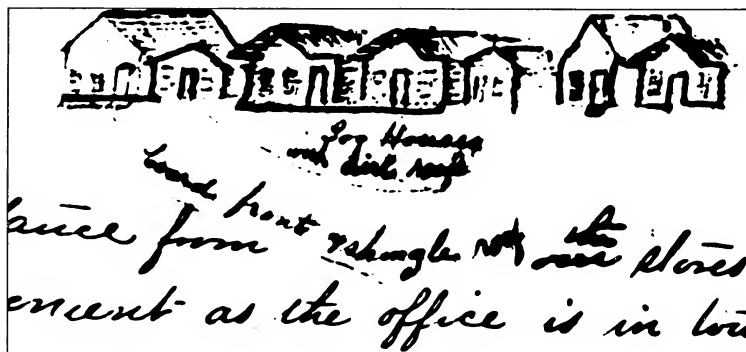
Since its founding, the Wyoming Territory slowly organized its governmental systems. With the arrival of Governor John A. Campbell, Secretary Edward M. Lee, and the subsequent formation of judicial districts, electing a legislature was the final task. After conducting a territorial census, the governor divided the thirteen House seats and nine Council seats among the counties, with Carter County receiving three vacancies in each chamber.<sup>19</sup>

17. 1870 Wyoming Census, p. 504; *Sweetwater Mines*, July 11, 1868; Book of Deeds, Book 11, pp. 29-30, 188-189, 192-194, Book 21, pp. 385-386, AHC; Minutes of the Commissioners of Carter County, pp. 22, 63, AHC.

18. 1870 Wyoming Census, p. 504.

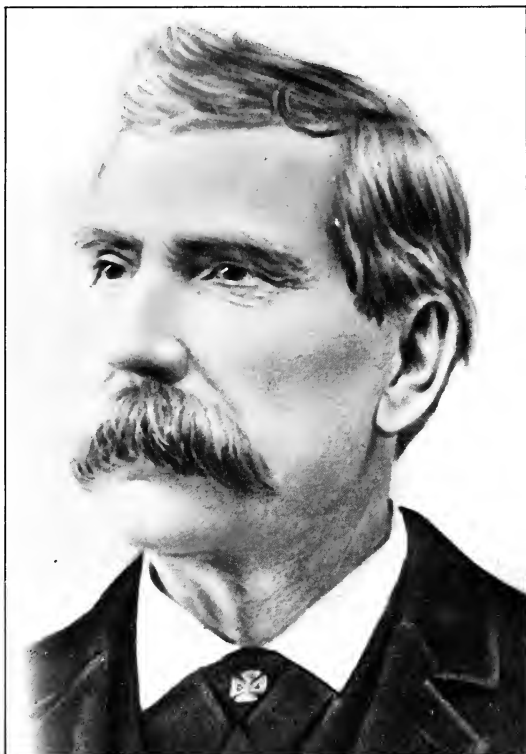
19. Larson, *History of Wyoming*, pp. 69-71.

16. Mining Records of the Shoshone District, pp. 9-11, 91, 99, AHC; Book of Deeds, Book 9, pp. 56-58, Book 20, pp. 186-187, Carter County Records Collection, AHC.



Robert Morris sketched his South Pass City neighborhood in his November 17, 1869, letter to his cousin, Frances McQuigg.





*William H. Bright introduced the suffrage bill which granted the women of the Territory of Wyoming the right to vote and hold office.*

By opening a business in the county's largest town, Bright enhanced his public visibility, increasing his chances of being elected to the territory's first legislature. A competitive campaign waged among nine candidates for the Council and seven for the House culminated in the September 2 legislative election for Carter County. Drunk and armed with revolvers, several South Pass City residents, gathered near the precinct polls at Noyes Baldwin's store, added further excitement to the election by vowing to prevent the town's Blacks from voting. Expecting trouble, United States Marshal Church Howe traveled to South Pass City and led several Blacks to the polls, where they cast ballots in relative peace.<sup>20</sup>

As in the rest of Wyoming, the Carter County Democrats swept the legislative races, electing William Bright, George Wardman, and William Rockwell to the Council, and Benjamin Sheeks, James Menefee, and John Holbrook to the House. All the delegates except Menefee

and Holbrook lived in South Pass City. None of the documents from that period indicate what the campaign issues may have been, let alone that woman suffrage was discussed publicly before the election. As a result, none of South Pass' legislators offered any public hint about introducing a bill that would permit women to vote in Wyoming.<sup>21</sup>

Closely linked initially with the anti-slavery movement, the national woman suffrage effort organized with the 1848 convention at Seneca Falls and slowly developed during the next two decades, permanently breaking with the abolitionists after the Civil War. Attempts to pass woman suffrage legislation in a few states and in Congress failed, leading many advocates to believe the first woman suffrage bill would probably be adopted in a territory, where a majority vote of the legislature and the governor's signature were the only requirements for passage. Conversely, amending a state's constitution required a 2/3 vote of both houses, the governor's acceptance, and the approval of the people in a special election. Hoping to encourage increased migration to the remote Western region of the country, Senator Pomeroy introduced a Congressional bill which extended the vote to women living in territories. The bill died.<sup>22</sup>

Before the Wyoming delegates assembled in Cheyenne in October, 1869, woman suffrage bills in three Western legislatures had been narrowly defeated—Washington in 1854, Nebraska in 1856, and Dakota in 1869—and the Utah and Colorado lawmakers would soon be considering the issue. Wyoming legislators were aware of the discussion over woman suffrage, for many of them had moved from Midwestern states where the reform had been debated for several years. In addition, two women had recently delivered speeches in Cheyenne in support of woman suffrage, Anna Dickinson at the courthouse in the fall, and Redelia Bates to the legislators in November. Nevertheless, neither of the national woman suffrage organizations nor

20. 1869 Carter County Election Returns, "Elections" File, South Pass City State Historic Site (SPC), South Pass City, Wyoming; Larson, *History of Wyoming*, p. 72.
21. 1869 Carter County Election Returns, SPC; *Council Journal of the Legislative Assembly of the Territory of Wyoming, First Session* (Cheyenne: Tribune Office, 1870), pp. 3, 31; *House Journal of the Legislative Assembly of the Territory of Wyoming, First Session, 1869* (Cheyenne: Tribune Office, 1870), pp. 4, 102.
22. Miriam Gantz Chapman, "The Story of Woman Suffrage in Wyoming, 1869-1890" (Masters Thesis, University of Wyoming, 1952), pp. 3-5; Beverly Benton, "Woman Suffrage in the American West: 1869-1896" (Ph.D. Dissertation, University of Utah, 1976), pp. 1-2.

any grassroots movement in Wyoming lobbied for the passage of woman suffrage in the territory.<sup>23</sup>

Wyoming's first legislative session commenced on October 12, with the Council unanimously electing Bright as its president. After Campbell's introductory speech, representatives began to introduce dozens of laws to organize the territory, with South Pass City's Rockwell and Wardman being two of the most active councilmen in sponsoring legislation. A few of these bills involved women. Rockwell offered a bill that enabled married women to protect their property during a divorce. In addition to reserving a location in the House to seat women, the legislature adopted an act that mandated equal pay for male and female teachers with equal qualifications.<sup>24</sup>

In performing the duties of president, Bright was not expected to be active in sponsoring bills. However, on November 12, he temporarily gave his duties to Councilman Poole of Laramie County and announced his intentions of introducing a woman suffrage bill, which he did fifteen days later. Several factors encouraged Bright to relinquish his position briefly to propose a measure that had not been adopted by any government in the United States.<sup>25</sup>

First, and most importantly, he personally believed in woman suffrage. Since the nation would not repeal Black suffrage, which he adamantly opposed, then he reasoned that White women should also vote since they were socially and intellectually superior to the former slaves. If Blacks vote, then his mother and wife should be permitted to cast ballots.<sup>26</sup>

Nevertheless, Bright did not introduce his woman suffrage bill until the final few weeks of the session, indicating that he probably did not intend initially to author the measure when the legislature convened. However, certain factors made the introduction of a woman suffrage bill timely and logical by mid-November. Bates' speech reminded the Wyoming lawmakers that other territorial legislatures had already considered the reform. Also, as a devoted suffragette, Julia, his wife, may have used the opportunity presented by this speech to encourage her

husband to write a bill. In addition, Edward Lee, territorial secretary, probably urged Bright to sponsor the legislation or at least offered to support his efforts by talking to other legislators. Before arriving in Wyoming, Lee had been a member of the Connecticut legislature, where his woman suffrage bill had been defeated. All or a combination of these elements provided Bright with the desire and the opportunity to introduce the legislation. His personal beliefs, or perhaps a desire to make a significant impact during the session, prompted him to sponsor the measure rather than find another legislator to do it.<sup>27</sup>

Council Bill #70, "... an act to grant to the women of Wyoming Territory the right of suffrage and to hold office," was read a first and second time before being sent to the committee of the whole, which quickly recommended "do pass" with only minor word changes. After temporarily postponing action, the Council approved the bill 6-2, with one abstention. Rockwell cast one of the two opposing votes, while Wardman was absent for that entire day.<sup>28</sup>

After passing the Council on November 30, the bill received much more debate in the House, where South Pass City's Benjamin Sheeks, one of the chamber's most active members, led the opposition to the woman suffrage measure. After a special committee's "do pass" recommendation on December 4, Sheeks and Representative Strong, an "at-large" member representing the entire territory, introduced motions for adjournment. While they were defeated, their attempts to delay consideration of the bill were temporarily successful since their objections and actions consumed enough time that the delegates agreed to postpone further discussion on woman suffrage in order to process other pressing legislation, especially since the session would end in approximately one week. When CB70 was again considered two days later, Acting Chair Sebree (Laramie County) sent for the delegates who were absent to allow as many representatives as possible to debate the bill. Speaker Curran of Carbon County, who opposed the bill, appointed Sebree as temporary chair in order to participate in the ensuing discussion. He and Sheeks then offered several amendments to defer consideration of the legislation, to add "all colored women and squaws" to

23. Larson, *History of Wyoming*, pp. 81-84; Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 74.

24. *Council Journal, First Session*, pp. 3-20, 54; Chapman, "The Story of Woman Suffrage," pp. 55-56.

25. *Council Journal, First Session*, pp. 66, 110.

26. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 75; Unsigned Essay, File 5, Woman Suffrage Files, W8425U, AHC.

27. Interview with Janet Sherlock by Grace R. Hebard, July 6, 1920, SPC; Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SPC; Mary Lee Stark, "One of the First Wyoming Women Voters Tells How Franchise Was Granted," no author or publisher, Woman Suffrage Vertical File #3, Historical Research and Publications Division, AMH.

28. *Council Journal, First Session*, pp. 112-122.

it, and to replace the word "women" with the term "ladies." All of their motions failed or were tabled, until Sheeks successfully amended the bill in changing the age women were permitted to vote from 18 to 21. The House eventually approved the act 7-4, with one abstention. Holbrook joined Sheeks in opposition while Menefee voted for approval. Representative Wilson (Laramie County) immediately moved to reconsider the vote, but was rebuffed.<sup>29</sup>

Later that same day, the Council approved Sheeks' amendment 6-3. Wardman, who was absent from the earlier vote, supported the bill but Councilman Brady of Albany County changed his mind and opposed CB70 this time. At 8:20 p.m. on this busy day, the following bill was sent to Governor Campbell, who signed it into law on December 10:<sup>30</sup>

Be it enacted by the Council and House of Representatives of the Territory of Wyoming:

Sec. 1. That every woman of the age of twenty-one years, residing in this territory, may at every election to be holden under the laws thereof, cast her vote. And her rights to the elective franchise and to hold office shall be the same under the election laws of the territory, as those of electors.

Sec. 2. This act shall take effect and be in force from and after its passage.<sup>31</sup>

Ironically, Bright received the least support from his fellow Carter County delegates. Only half of the county's representatives supported his effort, constituting the most significant opposition from a county delegation in the territory. Also, of the four delegates who lived in South Pass City, two of them opposed the suffrage act, the only Wyoming town to claim this distinction.

For more than a century, numerous researchers have offered several explanations for the legislators' motives in passing a woman suffrage act. Many authors have claimed that the representatives approved the bill as a joke or as a way to embarrass the governor, only to be tricked when the speaker of the house quickly sent the bill to the chief executive before the delegates could reverse their decision. Even though later correspondence by Lee and Sheeks indicates that at least some lawmakers were kidding, other evidence implies that most legislators were serious in adopting the reform. Not only was the debate over Council Bill #70 prolonged and the opposition vociferous in the

House, but the acting speaker found the imminent vote serious enough to send for all of the absent delegates. In addition, each legislator had the opportunity to reverse his previous vote if he had cast it in jest. Yet, the motion to reconsider the vote in the House was defeated, and the Council once again voted to accept the legislation, six days after its first approval. The only delegates who appeared to contradict their previous votes were Representative Wilson of Laramie County, who supported the bill and then immediately asked for reconsideration of the question, and Councilman Brady, whose later vote of "NAY" may have denoted his opposition to Sheeks' amendment to raise the voting age to 21 as much as a change in attitude toward woman suffrage.<sup>32</sup>

Other facts suggest that the passage of CB70 was not the result of jocularity. Considering that Curran opposed the act strongly enough to relinquish his position as speaker during the debate, it is doubtful that he would then sign the bill that same day if any chance existed that the vote could be reversed. After passing the House, the Council approved the bill with Sheeks' amendment and sent it to the governor the same day, not because supporters feared that most lawmakers acted in jest and would later reverse their decisions, but because the session was drawing to a close, and all legislation was being processed quickly. In fact, three other bills accompanied CB70 to the governor's office. It did not receive special consideration. Two years later, Governor Campbell noted that the legislature had properly considered and thoughtfully passed the bill.<sup>33</sup>

Passing CB70 was not a joke gone awry. Instead, a genuine belief in woman suffrage, a way to promote the territory, and the notion of a temporary experiment with this reform influenced the Wyoming legislators. Some researchers have asserted that the delegates who voted for approval did so more out of a desire to advertise Wyoming than in embracing the ideal that women deserved to vote. With the departure of the Union Pacific Railroad's work crews and a decrease in mining activity in the Sweetwater mines, the territory was beginning to experience its first bust at a time that Wyoming needed to compete with other newly-created territories for population. Being the first government to pass a woman suffrage bill would invite

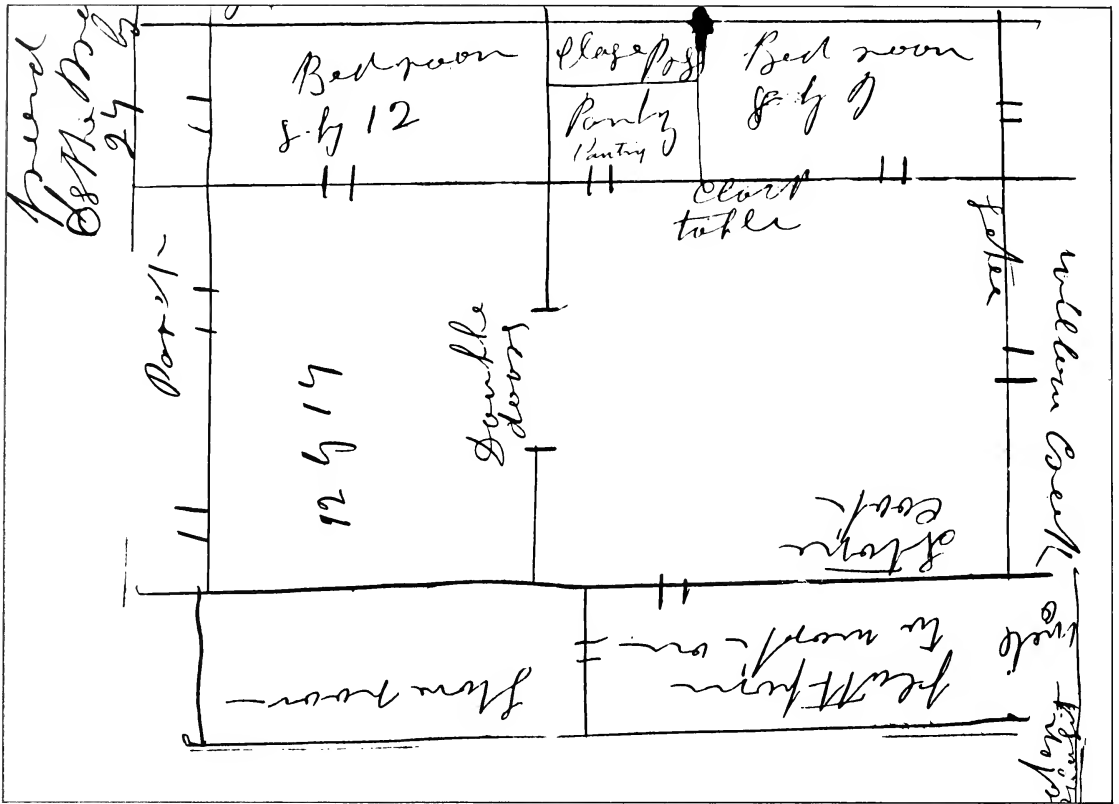
29. *House Journal*, 1869, pp. 158-159, 189-207.

30. *Council Journal*, First Session, pp. 158, 188.

31. *General Laws, Memorials and Resolutions of the Territory of Wyoming Passed at the First Session of the Legislative Assembly, 1869* (Cheyenne: Tribune Office, 1870), p. 371.

32. Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SFC; Edward M. Lee, "The Woman Movement in Wyoming," *Galaxy* 13 (January-June 1872): 755.

33. *Council Journal of the Legislative Assembly of the Territory of Wyoming. Second Session* (Cheyenne: Evening Leader Office, 1872), p. 82.



Esther Hobart Morris included a sketch of her South Pass City home in her October 13, 1869, letter to her niece Frances McQuigg.

national publicity and create a positive, progressive image which would induce more settlement. Knowing that other territories had narrowly defeated woman suffrage bills, many lawmakers probably believed that it was only a matter of time before some legislature would pass the reform. Thus, Wyoming needed to act quickly if it wanted the distinction and publicity of being the first. In an 1872 article in *Galaxy*, Secretary Lee noted that many legislators supported CB70 in order to publicize Wyoming and to increase immigration and capital to the territory.<sup>34</sup>

The belief that women should possess the same political rights as men probably influenced as many supporters of the bill as the idea of promoting the territory. The legislature had debated measures concerning women's rights with regard to equal pay, guardianship, and property. To consider passing a woman suffrage bill would not have been a radical notion.

In addition to recognizing that women possessed certain rights, many of the legislators may have agreed with Bright's view that White women should be permitted to vote since Blacks were enfranchised. Just two days before

Campbell signed the woman suffrage act, the legislature overrode the governor's veto of a miscegenation bill that outlawed interracial marriages in Wyoming, particularly between Whites and Blacks.<sup>35</sup>

In sending the woman suffrage act to the governor, most of the legislators believed that Campbell would veto it, particularly since the two branches were engaging in a battle over several other bills. The lobbying efforts of Secretary Lee, Chief Justice Howe, Mrs. Amalia Post, Mrs. M. B. Arnold, and Judge Kingman, who presided over the third judicial district and lived in South Pass City, convinced the chief executive to sign the legislation. Besides citing the country's tradition of fairness and equality, Campbell later noted that women were as capable as men in exercising the good judgment required to vote. He also

34. Lee, "The Woman Movement in Wyoming," p. 755; Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 76; *Cheyenne Daily Leader*, January 7; March 12, 1870.

35. *Council Journal, First Session*, p. 167.

commented that women who own property must be taxed, making woman suffrage necessary to ensure fair representation in the creation of tax laws.<sup>36</sup>

As the news spread throughout the nation that Wyoming had become "the first place on God's green earth which could consistently claim to be the land of the free,"<sup>37</sup> the legislature adjourned and the representatives rode home. Soon after the Brights returned to their log cabin in South Pass City, two local residents, Esther and Robert Morris, visited them.

Born on Aug. 8, 1814, near Spencer, New York, Esther Hobart McQuigg was the eighth of eleven children. Orphaned at age eleven, she worked as an apprentice to a seamstress before marrying Artemus Slack in 1841. Her first son, Edward Archibald Slack, was born one year later. As a civil engineer, Artemus traveled throughout the Upper Midwest until he was accidentally killed in Illinois. Esther and her son then moved to Peru, Illinois, to claim the property that her late husband had left her. Marrying John Morris, a Polish immigrant and a prosperous merchant, Esther later gave birth to three sons, John, who died in infancy, and to twins, Robert and Edward, in 1851.<sup>38</sup>

Reading about the South Pass gold rush in a newspaper, John and Archibald moved to South Pass City in the spring of 1868 to mine gold. Like many of the other fortune hunters who rushed to the Sweetwater mines at that time, they were initially discouraged in finding that little surface gold existed. Despite their disappointment, they eventually purchased mining and business property, including the Mountain Jack, Grand Turk, Golden State, and Nellie Morgan lodes, hoping to make a profit through mining and speculation, much like William Bright and many other South Pass miners were doing. Even though he had lived in the town less than six months, Archibald was appointed South Pass City's constable in September, which reflects as much upon his energetic and congenial character as upon the significant turnover in South Pass City's population and appointed officers during the first year of the boom.<sup>39</sup>

In July, 1869, Esther and the twins arrived, moving into the 24' x 26' log cabin that Edward had purchased on lot 38, South Pass Avenue, near the town's eastern edge. Willow Creek flowed along the southern boundary of their lot, and the Cariso Mine sat on the northern rim above their home.<sup>40</sup>

All of the men soon found jobs in the mining town. Contrary to assertions of many researchers, the records do not indicate that John Morris owned or worked in a saloon before 1873, when he purchased his first liquor license. Instead, he continued to mine and to speculate in various properties during his initial years in South Pass City. After resigning as constable, Archibald became the clerk for the territory's third judicial district for eighteen months. In addition to buying several lots in the settlement, he was an agent for the John W. Anthony sawmill company, located four miles from the town, and helped plan South Pass City's July 4th celebration in 1869. Robert also served as an agent for the lumber company and was soon appointed deputy district clerk, while Edward's clerking was confined to a store.<sup>41</sup>

Like many of the other families in the district, the Morris clan decided to spend their winters in the frigid mining area rather than quit their jobs to move to a more moderate climate. Thus, on a cold December night, Esther and Robert visited the Brights. In his letter of December 27, 1869, to *The Revolution*, a woman suffrage newspaper, Robert described their meeting:

There have been many representatives of Woman's Suffrage in the Legislatures throughout the United States, but the first successful legislator of the cause is William H. Bright of Wyoming Territory, and a brief sketch of him may interest your readers.

Mr. Bright returned to his home in this place a few days ago, and Mrs. M. and myself, as the only open advocates here of Woman's Suffrage, resolved ourselves into a committee, and called on him to tender our congratulations and thanks for his services in our behalf as well as for all true lovers of Equal Rights.

We found Mr. Bright in a comfortable log cabin with his good wife and little son. We met with a cordial reception, and he expressed himself pleased that there were some persons here who endorsed his views on Woman Suffrage.

36. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 76; *Council Journal, Second Session*, p. 79.

37. "Susan B. Anthony," *Laramie Daily Sentinel*, June 27, 1871.

38. Gene Gressley, "Morris, Esther Hobart McQuigg Slack," in *Notable American Women*, ed. Edward T. Jones (Cambridge: The Belknap Press of Harvard University, 1971), pp. 583-584.

39. Robert Morris to Mrs. Damon Stewart, June 27, 1868, Morris Collection, AMH; Minutes of the Commissioners of Carter County, p. 16, AHC; Book of Deeds, Book 20, pp. 298-299, Book 21, pp. 117-118, AHC.

40. Book of Deeds, Book 21, p. 479, AHC; Esther H. Morris to Frankie, October 13, 1869, Morris Collection, AMH.

41. 1870 Wyoming Census, p. 499; Minutes of the Commissioners of Carter County, p. 61, AHC; Esther H. Morris to Frankie, August 10, 1870, Morris Collection, AMH; Robert Morris to Frankie, November 17, 1869, Morris Collection, AMH; Robert Morris to his cousin, September 6, 1870, Morris Collection, AMH; *South Pass News*, October 27, 1869; *Sweetwater Mines*, June 19, July 14, 1869.

Mr. Bright is about thirty-five years of age, is a strong man, rather tall, with a frank open countenance which his name describes most fully. He is truly an original man, was born in Virginia, where in his early life he had not the benefits of a free school, and his parents were not in a condition to give him an education, and although he writes and is well-informed he says, "I have never been to school a day in my life, and where I learned to read and write I do not know."

In regard to Woman Suffrage, Mr. Bright says, "I have never thought much about it, nor have I been converted by a woman's lecture or newspaper, for I never heard a woman speak from the rostrum and never read THE REVOLUTION. I knew that it was a new issue, and a live one, and with a strong feeling that it was just, I determined to use all influence in my power to have the bill passed."

The Wyoming Legislature have made many important laws for our Territory, but Woman's Suffrage is looked upon as the most liberal, and will be widely appreciated.

It is a fact that all great reforms take place, not where they are most needed, but in places where opposition is weakest;

and then they spread until they take up *all* in one great principle of right and become universal; just so it will be with Woman Suffrage. Wyoming has been first to lead the way and there is probably no state in the Union where women have more freedom and are less deprived of their rights, and certainly there is no territory where there are as few; and I join Horace Greeley in urging the girls to come to this higher plain of Human Rights, as well as to have a home in our high, clear, mountain atmosphere.<sup>42</sup>

Not only does Robert clearly give Bright credit for the passage of the woman suffrage bill, but he urges women to move to Wyoming, echoing the philosophy that influenced some legislators to support the act. Bright probably welcomed Morris' support, for most residents of the town and mining district opposed his actions and woman suffrage. If woman suffrage had resulted in a mass migration to South Pass City, then most residents would have quickly supported the reform. Despite more than a quarter of a million dollars in investments from Chicago, Denver, and English firms, the gold boom had died by December. When most of the mines closed for the winter, many miners and businessmen left the district permanently. Estimated at more than two thousand in 1868, the population of South Pass City and the immediate area dropped to 487 by June, 1870. While several mines and enterprises continued to operate, the bust had arrived.<sup>43</sup>

The 1870 bust and the accompanying exodus of many community leaders exacerbated the area's already unstable economic and political systems. This situation particularly plagued the justices of the peace positions in two of the district's three settlements, for the county commissioners were continually appointing justices who only served for a few months. This turnover in office was much less a problem in South Pass City than in Atlantic City and Miners Delight, thanks to James W. Stillman, who was the town's justice of the peace from June, 1868, until December, 1869, when he suddenly resigned. Since he remained in the town with his family and was elected to his old post nine months later, some researchers have speculated that he quit to protest the passage of the woman suffrage bill. Not only do existing documents lend no support to this theory, but it is difficult to believe that Stillman would quit a job he had performed for eighteen months over a law that had no impact on his position. Circumstances surrounding the 1869 legislature suggest a more logical reason for Stillman's departure.



Esther Hobart Morris became the country's first woman justice of the peace when she assumed that office during February, 1870.

42. *The Revolution*, December 27, 1869.

43. 1870 Wyoming Census, p. 296.

During the initial legislative session, lawmakers passed bills that created each county and legalized the laws and political appointments that had been made between the creation of the territory and the convening of the legislature fifteen months later. A growing dispute over several issues between the Republican governor and the all-Democratic legislature eventually resulted in the veto of the act organizing Sweetwater County (formerly Carter County). In his veto message, Campbell emphasized that the authority to appoint persons to public offices belonged to the governor, and the right to elect individuals to office rested with the people. Not only did he question the legality of how some officers attained their positions in the county, but he objected to the representatives legislating other individuals into county positions. Nevertheless, the Council and the House overrode the veto and the final bill assigned several individuals to specific offices, including Stillman as South Pass City's justice of the peace. The legislature rejected the veto of the Sweetwater County bill the same day that Campbell signed the woman suffrage bill, an irony that would soon have a dramatic impact on woman suffrage.<sup>44</sup>

Despite the legislators' actions, the governor eventually exerted his authority by appointing Sweetwater County's officers, including the Board of County Commissioners. If a vacancy later occurred, then the board could recommend a candidate for Campbell's consideration. This procedure initially created chaos as local citizens and the county commissioners strove to learn who was filling what political position, and when. Stillman, a staunch Democrat who detested "Radical" Republicans, probably resigned in protest over the governor's actions, even though the legislators had named him the justice for South Pass City and Campbell apparently had agreed. Stillman was already upset at the former Board of County Commissioners when it tabled his request for reimbursement of expenses and instead sent it to the county's district attorney for review. One or both of these factors, not the passage of the woman suffrage act, convinced the justice to resign.<sup>45</sup>

The governor's newly-appointed Sweetwater County Board of Commissioners consisted of Chairman John W. Anthony, a lumberman, Nathaniel Daniels, a miner, and John Swingle, the owner of the popular Miners Exchange Saloon in South Pass City. While the commissioners began the search to find Stillman's replacement, they approved

R. S. Barr's application for justice of the peace somewhere near South Pass City. Several decades later, author Grace Hebard claimed in her article, "How Woman Suffrage Came to Wyoming," that Barr resigned in early February so that a woman could be appointed to his job. Not only does a court document prove that Barr was still a justice as late as May 10, 1870, but his justice's position was not the same one vacated by Stillman and later filled by Esther Morris. In addition, the next candidate the commissioners considered for the vacancy created by Stillman was not a woman, but a man—John O'Donnell, the county recorder. However, O'Donnell failed to qualify for the job, either because he wanted to hold two county positions simultaneously, was in Chicago when he was nominated, or for another unspecified reason.<sup>46</sup>

With the encouragement of a few local residents and the influential support of Judge Kingman, Esther Morris submitted her application for this vacancy, which the county commissioners approved at their February 12 meeting, making her the nation's first woman judge. This action immediately created controversy, for Stillman refused to give his docket and remaining records to the board, in protest at being replaced by a woman. Also, he may have still been irritated at the board for not reimbursing his expenses, for he still possessed the docket several weeks after he had quit.<sup>47</sup>

Commissioner Swingle also created some controversy. At the board's next meeting, he claimed he had opposed Esther's application rather than approved it as recorded in the minutes. Since Morris' appointment increased the outspoken opposition to woman suffrage in South Pass City, Swingle probably changed his vote more out of political expediency and public outcry than a desire to correct the record. In any event, her appointment became a split decision.<sup>48</sup>

44. *Council Journal, First Session*, pp. 176-178; *General Laws, 1869*, p. 384.

45. Minutes of the Commissioners of Carter County, pp. 73, 75, AHC; Minutes of the Board of Sweetwater County, p. 23, Archives and Records Management Division, AMH.

46. Minutes of the Commissioners of Carter County, pp. 75, 81, 85-86, AHC; Grace R. Hebard, "How Woman Suffrage Came to Wyoming" (no publisher, 1920); Justice of the Peace Docket, Esther H. Morris, p. 70, Archives and Records Management Division, AMH.

47. Chapman, "The History of Woman Suffrage," p. 41; Minutes of the Commissioners of Carter County, pp. 85-86, AHC. While the minutes of the county commissioners clearly indicate that Esther H. Morris submitted an application to the board for the justice's position on February 12, the minutes of the March 22, 1870, meeting indicated that Morris is a "... justice of the peace under an appointment by the Governor of the Territory. . . ." Since Acting Governor Lee did not write her letter of appointment until February 17, one can assume that the county commissioners approved her application and sent it to Lee for consent and "official" appointment. He sent a letter of appointment to Neil on the same day.

48. Minutes of the Commissioners of Carter County, p. 87, AHC.

With her son Archibald and the postmaster, G.W.B. ("Alphabet") Dixson, underwriting her five hundred dollar bond, the board sent the nomination to Acting Governor Edward Lee, who approved it two days later. Knowing that the entire country, particularly the town's citizens, would be closely watching her actions and decisions, Morris probably hoped for a few routine cases to begin her tenure as justice. Instead, she received the most difficult challenge she would encounter in her job, for the board decided to prosecute Stillman for not relinquishing the docket.<sup>49</sup>

On February 17, 1870, local citizens packed South Pass City's rented courtroom to see the female judge in action. Having been arrested just a few moments before the trial started, Stillman was escorted into the log building. Upon a motion by Stillman's lawyer, Mrs. Morris agreed to postpone proceedings for the remainder of the day in order to allow the defense attorney enough time to prepare his case. When court was reconvened days later, the room was again crowded, and the businesses near the courthouse closed for the day. When the defense attorney correctly noted that the warrant for Stillman's arrest was not completed correctly, Morris sustained his motion to dismiss the case, but then immediately issued a new warrant to begin the proceedings again. Finally, the defense attorney claimed that Esther did not have the jurisdiction to try the case because, as Stillman's successor, she had an interest in the docket's return. She agreed and dismissed the case.<sup>50</sup>

Since Stillman retained the docket to continue his personal protest of a female justice, Morris purchased a new book to record the twenty-seven cases she tried during the next eight months. Most of the complaints consisted of disagreements over debts, although she presided over ten assault cases, including three with the intent to kill.<sup>51</sup> At times, the behavior of the participants added some interest to the routine nature of most of these cases. Attorney Benjamin Sheeks, the ardent opponent of woman suffrage, occasionally practiced in Morris' court. He related the following incident:

I remember one case in particular where the attorney on the other side persisted in pettifogging [fussing over details] until I became exasperated and put him out of the room. I returned and apologized and offered to submit to any punishment she [Justice Morris] thought was justified. She merely remarked that she thought I was justified.<sup>52</sup>

49. Minutes of the Commissioners of Carter County, pp. 85-86, AHC; Minutes of the Commissioners of Sweetwater County, p. 15, AMH.

50. Undated newspaper article, Woman Suffrage File #9, AHC; Justice of the Peace Docket, Esther H. Morris, p. 2, AMH.

51. Justice of the Peace Docket, Esther H. Morris, pp. 2-10, 70-84, AMH.

52. Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SPC.

With national attention focused on Morris and her work, the creation of rumors and myths was inevitable. One story asserted Esther had tried her husband, John, for drunkenness and had him tossed in jail. Denying it, she replied, "A man is not allowed to be the judge of his wife much less a woman of her husband. It would not be a legal proceeding."<sup>53</sup> Common sense, more than the knowledge of the law, explains the success of Morris' tenure as justice.

Despite their initial misgivings about a female justice, many citizens of South Pass City became advocates of woman suffrage by the time Morris' term ended in October. With the organization of the territory, residents would now vote for their town's justice of the peace beginning in September. However, Esther declined to seek election to the position. Robert explained his mother's decision by noting she had received "much glory" from holding the job and had demonstrated that women could perform well in elected offices. In other words, she had accomplished her goals. In addition, the stress generated by the national publicity over her appointment and the initial opposition in her town undoubtedly affected her, for she wrote to her cousin two months before her resignation: "... the post was given to me but the frightful fact is that no man nor woman can hold it all."<sup>54</sup> Her husband was also a source of anxiety, not only because his health began to fail him toward the end of her term in office, but because he opposed woman suffrage and probably her job as justice of the peace. Finally, if she had decided to seek election, her opponent would have been James Stillman, who had spent the last few months organizing the county's first public school. Not wanting to create further controversy in her town, which was experiencing the trauma of a mining bust, may have been an additional reason for not retaining her seat. Stillman won the election, and Morris gave her docket to him.<sup>55</sup>

The notoriety surrounding Morris' accomplishments overshadowed the appointment of Caroline Neil, another Sweetwater County resident, as the justice of the peace for Point-of-Rocks. Not wanting to ride seventy miles through the Red Desert to submit an application to the county commissioners in South Pass City, she applied for the justice's position directly to Secretary Lee, who obligingly gave her the job. Perhaps out of irritation at the acting governor's unilateral action and due to the public outcry

53. Esther Morris to her niece, June 16, 1872, Morris Collection, AMH.

54. Esther Morris to Frankie, August 10, 1870, Morris Collection, AMH.

55. Robert Morris to his cousin, September 6; November 1, 1870, Morris Collection, AMH; *South Pass News*, December 28, 1870.



over their approval of Morris' application, the county commissioners were reluctant to approve Neil's bond, first returning it to her because an officer did not properly notarize it, then indefinitely tabling it before finally accepting it on May 2, one month after it had been submitted. Contrary to his earlier action, Commissioner Swingle not only voted to support the bond but made the motion to pass it. Some historians have questioned whether Neil ever served as a justice, primarily because her docket, if one ever existed, has never been located. However, the acting governor's appointment and the county commissioners' acceptance of her bond indicate that she occupied the office, even if she never tried a case.<sup>56</sup>

As acting governor, Lee designated a third woman justice of the peace in Wyoming before Campbell's return to the territory.<sup>57</sup> If Campbell would not have made these appointments had he remained, then Lee made the most of an opportunity to exert a tremendous influence on the course of woman suffrage in Wyoming.

Ironically, South Pass City opposed woman suffrage as much as, or more than, any other Wyoming settlement at the same time that Bright's sponsorship of the woman suffrage bill and Morris' tenure as justice were focusing

national attention on the town. The general opposition to woman suffrage included both sexes, for most of the women refused to become involved in politics—voting or otherwise. As a result of this attitude, Esther Morris, a Republican, was the only woman to attend South Pass City's Democratic meeting in September, 1870, and only eight women, 11 percent of the eligible female electorate, voted in the ensuing elections. Only 15 percent of the women over twenty-one years of age voted in Atlantic City. More women cast ballots at the Miners Delight poll than in either of the other two settlements, even though this small mining camp had only 1/6 the population of South Pass City.<sup>58</sup>

With the 1870 election of Judge Jones, a Republican, as the territory's Congressional delegate, woman suffrage developed into a partisan issue. Since the Democrats believed that their party had given Wyoming women the right to vote, they felt betrayed over Jones' narrow victory. Before woman suffrage, the Democratic candidate had won decisively. After women received the vote, a Republican narrowly won. In addition, many saloonkeepers, usually Democrats, were growing concerned over the link at the national level between the woman suffrage and temperance movements. By the 1871 legislative elections, an organized opposition to woman suffrage existed that had not been present at the 1869 legislature.<sup>59</sup>

Unbeknownst to the citizens of the Sweetwater mining district, they would again elect a legislator who would exert a significant impact on woman suffrage. However, this lawmaker would not be William Bright. Due to the economic decline and perhaps because of the town's opposition to woman suffrage, Bright's saloon went bankrupt and was sold at public auction in September, 1870. After an aborted attempt to establish another saloon at Miners Delight, and following a brief stay in the Wind River valley, the Bright family paid a farewell visit to South Pass City in June, 1871, before moving to Denver. They never returned to the mining camp.<sup>60</sup>

**Let It be Recorded.**

On the 6th inst., this territory had the female suffrage theory put into practice. On Tuesday last eight women voted for Delegate in Congress and county and precinct officers in this city, eight voted in Atlantic and nine in Miner's Delight. We are unable to state how many voted in other towns throughout the territory, but as the Republicans of Laramie county had nominated two women for county offices, and have two others on their county committee, it is safe to presume that a greater number of women voted in that county than in this or any other county of the territory. Women held office in this territory and served as jurors previous to this, but Tuesday the 6th day of Sept., 1870, was the first time the women of this territory exercised the privilege of voting at any general election, so far as our information on this subject goes.

*The South Pass News reported the first election in Wyoming in which women voted.*

56. Minutes of the Commissioners of Sweetwater County, pp. 18-21, AMH; Larson, *History of Wyoming*, p. 84(f).

57. Larson, *History of Wyoming*, p. 84(f).

58. *South Pass News*, September 13, 1870; 1870 Wyoming Census, pp. 455-515; Robert Morris to his cousin, September 6, 1870, AMH; Robert Morris to Frankie, September 8, 1870, Morris Collection, AMH.

59. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 78.

60. License Records, Sweetwater County, Sweetwater County Courthouse, County Clerk's Office, Green River, Wyoming; *South Pass News*, August 31, September 13, 1870; June 28, 1871; *Cheyenne Daily Leader*, January 23, 1876.

In the month before the 1871 elections, the exodus of several more of the district's past political leaders, the social upheaval caused by the bust, and unspecified local issues split South Pass' powerful Democratic Party. Eager to dissociate with a national platform that most local residents opposed, several Republicans joined with dissatisfied Democrats to create a third political party. The newly named People Party held their convention in Atlantic City to select several candidates for the territorial legislature and county offices. The Democrats did likewise at their South Pass City gathering, while the Republican Party did not nominate any office seekers becoming temporarily defunct in the Sweetwater district.<sup>61</sup>

Even though woman suffrage had been a volatile issue in South Pass for the past two years, it was not a factor in splintering the Democrats and creating the People Party. In fact, the editor of the *South Pass News*, Archibald Slack, chastised the two parties for ignoring the needs of women and urged the females to form their own political organization. By late 1871, most of the remaining citizens in the Sweetwater mining district had gradually accepted woman suffrage, particularly after witnessing Esther Morris' success as a justice of the peace. Thus, the area's antagonism toward woman suffrage was declining while opposition in the territory was increasing.<sup>62</sup>

Even though the People Party won several local races, the organization captured only two of the five legislative positions. John Fosher, the owner of an Atlantic City billiard hall, won a seat on the Council, and Herman G. Nickerson, miner, former Sweetwater County superintendent of schools, U.S. Commissioner to the Shoshone Reservation, and resident of Miners Delight, became one of the district's three representatives. Both men unsuccessfully ran in the county's 1869 legislative races. Democrats Dr. F. H. Harrison of Atlantic City, Duncan Blair of Green River, and Benjamin Sheeks also were elected. George Wardman lost his bid for a second term.<sup>63</sup>

As the legislators gathered in Cheyenne in early November to convene the territory's second session, the Democratic lawmakers promised to repeal the woman suffrage act, although some of them personally favored the measure. But, in his opening remarks to the legislators,

Governor Campbell announced his opposition to any attempts to deprive Wyoming women of their right to vote, claiming that women have "... conducted themselves in every respect with as much tact, sound judgment, and good sense as men..."<sup>64</sup> in the past two years. He further implied that it was too early in the woman suffrage experiment to consider eliminating the reform. Given the governor's likely veto of any attempt to eliminate the reform, the Democrats realized that they would need a 2/3 vote in both chambers to repeal the law. Democrats outnumbered Republicans 10-2 in the House but only 5-3 in the Council, with Representative Nickerson and Councilman Fosher aligned with a third party. Therefore, at a time that each party was dictating how its members would vote, Nickerson and Fosher were free to follow their conscience. Nickerson was a professed Republican who had jumped to the People Party in order to get elected. What was Fosher's allegiance on this issue?<sup>65</sup>

On November 16, nine days after the session began, Representative Castle of Uinta County introduced House Bill #4, an act to repeal woman suffrage. Sheeks, who was elected speaker, sent the bill to the engrossment committee, which included Nickerson and two Democrats. Concerned that the committee may delay action on the legislation, Wilson of Carbon County and Kuykendall of Laramie County successfully sponsored a motion that brought the bill to the House floor for immediate consideration. After a lengthy discussion on November 17, the House passed it 9-3, with Nickerson joining the two Republicans in opposing the measure.<sup>66</sup>

After receiving HB4, Council President Nuckolls of Laramie County assigned it to a committee, which recommended "do pass" on November 24. After postponing a vote for several days, the Council approved the bill 5-4, with Fosher aligning with the three Republicans. The action of the Atlantic City legislator must have surprised the Democrats, for they had extended privileges to him usually reserved for other Democrats, such as chairing the committee that organized the Council during the initial days of the session and presiding as acting Council president

61. *South Pass News*, August 31, 1871.

62. *South Pass News*, August 31, 1871; Robert Morris to his cousin, September 6, 1870, Morris Collection, AMH.

63. *South Pass News*, April 26; September 7, 1871; Tax Assessment Roll, 1870, 1871, Sweetwater County, Sweetwater County Museum, Green River, Wyoming; 1869 Carter County Election Returns, SPC; 1870 Wyoming Census, p. 483, *Council Journal, Second Session*, p. 31.

64. *Council Journal, Second Session*, p. 18.

65. *Council Journal, Second Session*, p. 18; *Cheyenne Daily Leader*, November 21, 1871; *Journal and Debates of the Constitutional Convention of the State of Wyoming* (Cheyenne: Daily Sun, Book and Job Printing, 1893), p. 352.

66. *House Journal of the Legislative Assembly of the Territory of Wyoming, Second Session* (Cheyenne: Evening Leader Office, 1872), pp. 37-50.

on a few occasions. Now, Foshier had supported the Republican minority during the only truly partisan vote of this legislature.

As expected, the governor vetoed the bill on December 4. Outlined in a lengthy treatise sent to both chambers, Campbell offered several reasons for his decision, including his doubts that the legislature could constitutionally abrogate the voting privileges of any American citizen, male or female. He concluded his veto message by emphasizing that:

For the first time in the history of our country we have a government to which the noble words of our magna charta of freedom may be applied, not as a mere figure of speech, but as expressing a simple grand truth, for it is a government which derives all just powers from the consent of the governed.

We should pause long and weigh carefully the probable results of our action before consenting to change this government. A regard for the genius of our institutions, for the fundamental principles of American autonomy, and for immutable principles of right and justice, will not permit me to sanction this change.<sup>67</sup>

Nickerson was one of the two absentees on December 9 when the House overrode Campbell's veto, 9-2. Considering that no Democrat or Republican had deviated from the party line, the lawmakers realized that Councilman Foshier would determine the future of woman suffrage in Wyoming. If he reversed his previous vote to support the Democratic majority, then the Council would have enough votes to annul the veto, ending woman suffrage in Wyoming. Maintaining his opposition to HB4 would preserve the women's right to vote. Worried that Foshier may not change his mind, Representative Pease of Uinta County introduced a bill on December 11 that would provide for a special election on woman suffrage. However, the measure died quickly when the House voted not to suspend the rules to allow the bill to pass before the end of the session.<sup>68</sup>

Foshier was initially indecisive. While he personally favored woman suffrage, as owner of a billiard hall that served liquor he was concerned about the growing link between the temperance and woman suffrage movements nationally. While not a Democrat, he lived in a predominantly Democratic part of Sweetwater County where the citizens had initially opposed woman suffrage and Esther Morris' appointment, but now generally accepted both.

In contrast to the first legislative session, women actively lobbied during the 1871 meetings for the preservation of their voting rights. Besides closely following the moves of the chambers from their seats in the bleachers of the legislature, several women visited Campbell to ensure that he still planned to veto HB4. When Republican Councilman Corlett of Laramie County noticed that Foshier was wavering in his opposition to the bill, he arranged for the delegate to dine with Mrs. Amalia Post, a Wyoming suffragette. As a result of the supper or because of his fundamental belief in woman suffrage, Foshier once again sided with the three Republicans in voting against the bill and preventing the override of the veto. Woman suffrage was sustained, and the legislature would never challenge its existence again. For the second time in two years, a South Pass saloonkeeper would strike a blow for woman suffrage.<sup>69</sup>

While woman suffrage continued to thrive, the same could not be said of the South Pass camps. Despite renewed mining activity around Miners Delight, the populations of South Pass City and Atlantic City continued to plummet, with only several hundred people remaining in the area in 1872. The absence of large gold deposits compelled South Pass miners and businessmen to move to other Western mining settlements in their search for precious metals, or a favorable economic climate. Some entrepreneurs stayed in the western region of Wyoming, playing critical roles in the development of communities such as Lander. A few pioneers remained in South Pass, perhaps hoping eventually to strike a rich pocket of gold or because they had discovered a sense of community and place that they had not experienced in their earlier travels. Gold booms in the 1880s, 1890s, and 1930s precipitated another large influx of miners, promoters, and businessmen into the Sweetwater mining towns, but busts always followed. Even though South Pass City and Atlantic City were never deserted, they reverted to shadows of their former selves. After more than seventy years of sporadic activity, Miners Delight became a ghost town in the 1940s.

During the throes of the initial bust, the champions of woman suffrage left the area which they had placed briefly in the national spotlight. While living in Denver, Bright played a prominent role in the unsuccessful attempt

67. *Council Journal, Second Session*, p. 84.

68. *Council Journal, Second Session*, pp. 1-52, 79-84; *House Journal, Second Session*, pp. 111-112, 122.

69. Woman Suffrage File #4, AHC; "Mrs. Amalia B. S. Post," no author or publisher cited, Woman Suffrage Vertical File #3, AMH; Hamilton Wilcox, *Wyoming: The True Cause and Splendid Fruits* (no publisher or date), p. 17; Benton, "Woman Suffrage in the American West," pp. 18-20; *Council Journal, Second Session*, pp. 93-95.

to pass a woman suffrage law in Colorado in 1877. He and Julia eventually moved to Washington D.C., where he died in 1912.<sup>70</sup>

John Fosher continued to work his mining claims and operate his billiard hall/saloon until 1873, when he is no longer listed on any of the area's records. His later activities and residence are a mystery.<sup>71</sup>

All of the Morris family members remained in South Pass City until 1871, when a fire destroyed the *South Pass News* newspaper office, forcing Archibald Slack, the owner, and his wife Sarah, whom he had married the previous year, to move to Laramie where he and T. J. Webster created the *Laramie Daily Independent*. In 1876 he settled in Cheyenne to start the *Cheyenne Daily Sun* which eventually merged with the *Cheyenne Leader* in 1895, when Slack retired.<sup>72</sup>

Because of a deteriorating marriage and after the very harsh winter of 1871-72 in which the snow in South Pass City was still ten to twelve feet deep in June, Esther left South Pass City to live with Archibald in Laramie. After refusing a nomination for territorial representative on a woman's party ticket in 1873, Esther moved to Albany, New York, and then Springfield, Illinois, where she spent her winters. She visited her sons in Wyoming during the summers until she moved back to Cheyenne permanently in the 1880s to live with Robert. In 1895 Esther was elected as a state delegate to a national woman suffrage convention in Cleveland. She died in Cheyenne in 1902.<sup>73</sup>

After leaving South Pass City with his mother in 1872, Robert Morris held several important jobs, such as state stenographer, clerk of the supreme court, and the secretary for Senator Joseph M. Carey. The two had met in South Pass City when Carey visited the town as U.S. Attorney for the territory and Morris was the assistant district clerk. After his mother passed away, Robert moved to Green River to be near his twin brother, Edward.<sup>74</sup>

Even though most of the family vacated South Pass City, John and Edward Morris remained in the area for several more years. As one of the handful of settlers who

did not leave during the bust, John opened a saloon and billiard hall in 1873. Unfortunately, his health continued to deteriorate, and he died during October, 1877.<sup>75</sup>

Edward performed several odd jobs in the South Pass area until his father's death, when he assumed the management of John's billiard hall. He briefly lived in Atlantic City before moving permanently to Green River in the early 1880s to open a large mercantile business.<sup>76</sup>

While the Bright and Morris families continued with their lives, their activities with regard to woman suffrage would produce debates and controversies that have spanned nearly a century. Beginning with a growing conflict between Archibald and Robert over how much credit their mother deserved in the success of woman suffrage in Wyoming, countless authors have offered dozens of opinions on the evolution of this reform during the initial territorial years. It is beyond the scope of this paper to examine all of the theories and myths that have been created since the 1870s. More than any other researcher, Dr. T. A. Larson, Wyoming's eminent historian, has critically examined and addressed most of these legends in his book, *History of Wyoming*, an essay, "Petticoats at the Polls," and articles and letters in several issues of the 1954 *Laramie Republican Boomerang* and the 1974 *Casper Star-Tribune*. Despite all of the literature on the subject, one controversy continues to thrive—who instigated the 1869 woman suffrage act.

Esther's sons initiated this debate. Beginning in the 1890 editions of his newspaper, the *Cheyenne Sun*, Archibald Slack referred to Esther as the "mother of woman suffrage," even though Robert always insisted that his mother did not deserve the title. In one of its issues in the same year, the *Cheyenne Daily Leader* claimed Mrs. Morris did not ask Bright to introduce the woman suffrage bill and that she did not know that the legislature would consider the issue. Neither Esther nor Archibald wrote letters to challenge this statement even though both lived in Cheyenne at the time. Ironically, some people credit Robert with originating Wyoming's motto, the "Equality State."<sup>77</sup>

70. *Denver Tribune*, January 21, 1876; "Dr. Larson Questions Right to Single Out Esther Morris," *Laramie Republican-Boomerang*, December 20, 1954; Benton, "Woman Suffrage in the American West," p. 33.

71. Tax Assessment Roll, 1871-1873, Sweetwater County.

72. W. E. Chaplin, "Woman Suffrage Pioneer Recalled Here," *Laramie Republican-Boomerang*, July 25, 1937; Douglas C. McMurtrie, "Pioneer Printing in Wyoming," *Annals of Wyoming* 9 (January 1933): 740.

73. Esther H. Morris to her niece, June 16, 1872, Morris Collection, AMH; Gressley, "Morris," p. 584; Robert Morris to his cousin, February 6, 1877, Morris Collection, AMH.

74. Insert Robert Morris file, AMH; Chaplin, "Woman Suffrage Pioneer Recalled Here."

75. Tax Assessment Roll, 1871-1876, Sweetwater County; License Records, 1873-1877, Sweetwater County; *Laramie Daily Sentinel*, October 4, 1877.

76. License Records, 1877-1878, Sweetwater County; Tax Assessment Roll, 1870-1879, Sweetwater County; Chaplin, "Woman Suffrage Pioneer Recalled Here."

77. Howard Lamar, ed., *The Reader's Encyclopedia of the American West* (New York: Thomas Y. Crowell Co., 1977), p. 773; *Cheyenne Daily Leader*, July 23, 1890, Woman Suffrage File #9, AHC; Sadie Bristol Jensen to Miss Burke, November 30, 1936, Woman Suffrage Vertical File #1, AMH.

While Esther Morris' accomplishment as the nation's first female justice of the peace continued to receive acclaim for many years, no one seriously claimed that she, not Bright, deserved credit for the introduction of the woman suffrage bill until Herman Nickerson's letter appeared in the February 14, 1919, edition of Lander's *Wyoming State Journal*. Responding to an article which credited the Democratic Party for initiating woman suffrage in Wyoming, Nickerson made the following assertions:

To Mrs. Esther Morris is due the credit and honor of advocating and originating woman's suffrage in the United States. At the first election held in South Pass, (then in Carter County, Wyoming) on the 2nd day of Sept. 1869, Col. Wm. H. Bright, democrat, and myself, republican, were candidates for the first territorial legislature. A few days before the election, Mrs. Morris gave a tea party at her residence at which there were about forty ladies and gentlemen present. Col. Bright and myself being invited for a purpose, for while sitting at the table Mrs. Morris arose and stated the object of the meeting, she said: "There are present two opposing candidates for the first legislature of our new territory, one of which is sure to be elected, and we desire here and now to receive from them a public pledge that whichever one is elected will introduce and work for the passage of an act conferring upon the women of our new territory the right of suffrage."

Of course we both pledged ourselves as requested, and received the applause of all present. There were no republicans elected at this first election, the legislature was solidly democratic. Col. Bright, true to his promise, introduced the bill and it became law, passed in a jocular manner as an experiment, as Col. Bright informed me on his return home. Mrs. Morris was an ardent republican.

Nickerson continued his letter by summarizing the Democrats' attempt to repeal woman suffrage in 1871, by noting that a few Democrats desired to drop the reform in 1889 to ensure statehood, and by concluding that the Republicans deserve the credit for the success of woman suffrage.

Although politics clearly motivated Nickerson to write this letter, many researchers, primarily Grace Hebard, accepted the story of the tea party at face value. Thanks to Hebard's 1920 article, "How Woman Suffrage Came to Wyoming," Morris' alleged involvement in the introduction of the woman suffrage bill became fact. On the site of the Morris' 1869 log cabin in South Pass City (but not the nearby location of their 1870 home), Nickerson and Hebard erected a stone marker that proclaimed: "Site of Office and Home of Esther Morris, First Woman Justice of the Peace, Author of Female Suffrage in Wyoming." Now they were claiming that Morris not only elicited a promise from Bright to introduce a bill, but she wrote the legislation for him. A similar notation was etched into a

concrete monument that replaced the marker during a 1939 ceremony.<sup>78</sup>

By the 1950s, the legend of the tea party was so widely accepted that the Wyoming legislature considered a measure naming Esther Morris as one of the state's two outstanding citizens and placing a bust of her in the nation's Capitol Rotunda. Despite a series of newspaper articles by Dr. Larson that questioned the tea party theory and Morris' influence on Bright, the legislature passed the bill. The legend is still popular today, for Nickerson's story appears in many recent articles and publications.<sup>79</sup>

Nevertheless, common sense and the historical record cast serious doubt on the claim that William Bright introduced the woman suffrage bill to fulfill a promise to Esther Morris, let alone that she extracted the commitment at a tea party. Considering that most of the residents of South Pass City opposed woman suffrage, it is difficult to believe that Morris could find forty people in the town on the eve of an election to attend a tea party to support the introduction of a suffrage bill. While Nickerson states that he and Bright ". . . pledged ourselves as requested and received the applause of all present . . .,"<sup>80</sup> Robert Morris noted in his December, 1869, letter to *The Revolution* that he and his mother were the only open advocates of woman suffrage in the settlement and further wrote that Bright was ". . . pleased that there were some persons here who endorsed his views on woman suffrage." If forty people had attended the tea party in September, Robert would never have made these comments in a letter written just three months later.

Furthermore, from a logistical perspective, the Morris' 1869 log cabin was too small to hold forty people. In a letter to her cousin, Esther estimated that her cabin measured 24 feet x 26 feet, which included the storage room, open-air platform, two bedrooms, and a pantry.

If one continues to believe that forty supporters of woman suffrage squeezed into the Morris house or that

78. Hebard, "How Woman Suffrage Came to Wyoming"; untitled article, Woman Suffrage File #1, AHC.

79. Mable Cheney Moudy, "Fame as Equality State Cited as Support for Esther Morris," *Laramie Republican-Boomerang*, January 6, 1955; Ralph E. Conwell, "Dr. Hebard Gave Mrs. Morris Credit for Suffrage," *Laramie Republican-Boomerang*, December 6, 1954; T. A. Larson, "Larson Says Hebard Writing Must Be Examined Carefully," *Laramie Republican-Boomerang*, December 14, 1954; T. A. Larson, "Dr. Larson Questions Right to Single Out Esther Morris," *Laramie Republican-Boomerang*, December 20, 1954; T. A. Larson, "Dr. Larson Offers Mrs. Pence Compromise on Statue Choice," *Laramie Republican-Boomerang*, November 29, 1954.

80. *Wyoming State Journal*, February 14, 1919.

Esther moved the tea party outside, then explaining how Esther could command enough respect to generate such enthusiasm for a controversial issue in an unstable, tumultuous gold mining town is difficult, especially since she had moved to South Pass City less than three months before the September election. The town's leaders, many of whom had resided in the town for more than a year, would find difficulty in locating forty citizens during the peak of the mining season to endorse any issue not related to mining, Indians, or anti-Republican sentiment.

Nickerson's letter contains another erroneous assumption. He indicated that Esther invited Bright and him to the tea party because one of them was "... sure to be elected..." to the legislature. However, nine candidates competed for the three Council positions, making the odds less than 50 percent that either would be elected. In fact, if Morris was politically astute enough to throw a tea party to lobby Nickerson and Bright on woman suffrage, then she would have invited as many of the contestants as possible, including the seven men vying for the three House seats. After all, more Carter County legislators voted against the suffrage act than any other county's delegation. Besides, Bright would have committed political suicide by promising to support a reform that proved to be so unpopular in South Pass City. If he did and still won, why did he wait until the closing days of the session to introduce the bill and keep a promise he made publicly?

Besides common sense, the historical record does not lend support to the notion of a decisive tea party two days before an election. Other than Nickerson's claim, which he made almost fifty years after the event, no other primary source, including former residents of South Pass City, have even alluded to the event. In fact, in his 1886 article, "Early History of Fremont County," Nickerson failed to mention the tea party. Neither Slack's 1920 letter to Hebard nor her oral interview with Janet Smith, a long-time resident, references the event, although Smith thought that Bright promised Morris to introduce the bill while Slack firmly contends that Julia, not Esther, influenced the colonel.<sup>81</sup>

Since Archibald Slack operated a newspaper from 1870-1895 and touted Esther as the "Mother of Woman Suffrage," he possessed every opportunity to publicize the tea party as proof that his mother deserved the title. This

never occurred. In the letter to *The Revolution*, Robert Morris clearly gave Bright credit for writing and introducing the bill on his own volition. If he was simply fulfilling a promise to Mrs. Morris, why would Robert not bestow the credit on his mother? More than likely, she read his letter before he sent it to the newspaper and obviously did not object to its content.

Neither Bright nor Morris ever hinted that the tea party occurred. In an 1876 letter to the *Denver Tribune* and an 1895 interview in Washington D.C., Bright discussed the passage of the woman suffrage bill without any mention of a tea party or a promise to Morris, although he noted that Esther, Mrs. M. E. Post, and Mrs. Seth Paine advocated suffrage.<sup>82</sup>

Throughout the rest of her life, Esther never claimed she deserved any credit for the woman suffrage bill. At the 1871 Woman Suffrage Association meeting in Washington D.C., Mrs. Post read to the attendees the following letter from Mrs. Morris:

My Dear Mrs. Hooker: After this long delay I would return many thanks for your kind letter, your sensible report, and more than all, for the strong right-hand of fellowship. So far as woman suffrage has progressed in this Territory we are entirely indebted to men. To William H. Bright belongs the honor of presenting the woman suffrage bill, and it was our district judge, Hon. John W. Kingman, who proposed my appointment as a justice of the peace and the trial of women as jurors.

Circumstances have transpired to make my position as justice of the peace a test of woman's ability to hold public office, and I feel that my work has been satisfactory, although I have often regretted I was not better qualified to fill the position. Like all pioneers, I have labored more in faith and hope.

I have assisted in drawing a grand and petit jury, deposited a ballot, and helped canvass the votes after the election, and in performing all these duties I do not know as I have neglected my family any more than ordinary shopping, and I must admit that I have been better paid for the services rendered than for any I have ever performed. In some thirty civil actions, tried before me, there has been but one appeal taken, and the judgement was confirmed in the court above, and in the criminal cases also before me there has been no call for a jury.

My family consist of a husband and three sons, all of whom have been more ready to assist me in the performance of my official duties than in my domestic affairs.

My term of office expired November first, and I sent you a paper with an account of a supper given by the new officers, and notice of my retirement from office.

My idea of the woman question in Wyoming is, that while we enjoy the privilege of the elective franchise, we have not been sufficiently educated up to it. The election here, and agitation of woman's voting, has caused us to think, and has placed

81. H. G. Nickerson, "Early History of Fremont County," *State of Wyoming Historical Department Bulletin* 2 (July 15, 1924): 1-16 (reprint of 1886 article); Benjamin Sheeks to Grace Hebard, August 20, 1920, SPC; Interview with Janet Sherlock Smith by Grace Hebard, July 6, 1920, SPC.

82. *Denver Tribune*, January 21, 1876.

us far in advance of what we were, and I now think that we shall be able to sustain the position which has been granted us.<sup>83</sup>

Since Morris and Bright died before Nickerson's letter appeared in the Lander newspaper, the story of the tea party will never be definitely confirmed or denied. Undoubtedly, the citizens of South Pass City debated woman suffrage at many social gatherings after 1869. Perhaps Nickerson, fifty years later, was recalling a meeting of South Pass City's Literary Association, which was formed in early 1871, met in private homes, and often discussed woman suffrage.<sup>84</sup>

With the exception of Nickerson's claim, the historical record indicates that Bright deserves credit for taking the bold step of introducing the country's first successful woman suffrage bill, with his wife, Julia, and perhaps Edward Lee lending some influence and encouragement. Larson stated as much in *History of Wyoming*. Esther Morris' claim to fame is her appointment as the nation's first woman judge. Considering her courage in accepting this position, opening herself to the ridicule of woman suffrage opponents in her town, and extricating herself from the social and political bonds of her time, she does not need a tea party to reserve her place in history.

Of course, Bright and Morris must share the successes of woman suffrage in Wyoming with the other legislators who supported the 1869 bill and opposed the 1871 attempt at repeal, the women jurors, Governor Campbell, Judge Kingman, Chief Justice Howe, and the score of other men and women who worked to make a temporary experiment permanent. Rather than the emissaries of a grassroots effort in a frontier mining town, personal beliefs motivated Bright and Morris, whose accomplishments are even more remarkable considering that the South Pass mining communities opposed woman suffrage more than any other area of settlement in the territory.

The course of woman suffrage in territorial Wyoming certainly presented some dilemmas to the national suffrage organizations. While they focused their efforts to install woman suffrage laws in Eastern states and in Congress, Wyoming passed its bill without any help or encouragement from these groups. In fact, by 1914, all of the states and territories which had adopted woman suffrage were west of the Rocky Mountains, except for Kansas.

There are other ironies. Even though the suffrage organizations were closely aligned at times with abolitionists, the Republican Party, and temperance, an all-Democratic legislature passed the country's first woman suffrage bill, which was written and introduced by an ex-Southern saloon owner motivated by an anti-Black, racist attitude. In addition, a third-party legislator, who owned a billiard hall and a liquor permit, cast the decisive vote to sustain the territory's woman suffrage bill.

In the debate over the use of public lands, wilderness proponents and oil developers claim that conflict is inevitable because they have no control over where the resources are located. Suffragists must have possessed similar thoughts about the passage of a woman suffrage bill in Wyoming. Reform is where you find it. In other words, the adoption of a reform is not always the result of organized efforts or the general acceptance of a particular philosophy. As some of the events associated with woman suffrage in Wyoming from 1869-71 prove, several unrelated ideas, both ideal and utilitarian, may suddenly create the opportunity for the birth of reform. The fact that Wyoming passed woman suffrage, refused to repeal it, and later insisted that it would never become a state without the reform should make its citizens proud that the reform was first "found" in Wyoming.

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83. The letter is reprinted in: Chapman, "The Story of Woman Suffrage," pp. 41-42.

84. *South Pass News*, April 5, 12, 1871.

# FRANK LESLIE'S ILLUSTRATED NEWSPAPER

No. 10,000. N. Y. VOL. XXVII. NEW YORK FOR THE WEEK ENDING NOVEMBER 24, 1888. PRICE, 10 CENTS. PUBLISHED WEEKLY.



THE POLLS IN CHEYENNE. A BUSTLING SCENE AT THE POLLS IN CHEYENNE.

ALL PHOTOGRAPHS COURTESY AMH



# **SOLVING THE JIGSAW PUZZLE:**

## **One Suffrage Story at a Time**

**by Sidney Howell Fleming**

### **Part I: Introduction**

When the news came that the Wyoming State Constitution did contain the woman suffrage provision, a group of women meeting in Chicago rose and sang the Doxology.<sup>1</sup> At the root of their joy and thanksgiving was a law that had existed in Wyoming for almost 20 years.

This succinct bill, just 100 words or so, signed by four men and the governor of Wyoming Territory, made all Wyoming women age twenty-one and older, voters, electors, and potential office holders on December 10, 1869.

An act to grant to the women of Wyoming Territory the right of suffrage and to hold office. Be it enacted by the Council and House of Representatives of the Territory of Wyoming: Sec. 1. That every woman of the age of twenty-one year's, residing in this territory, may, at every election to be holden under the laws thereof, cast her vote. And her rights to the elective franchise and to hold office, shall be the same under the election laws of the territory as those of electors. Sec. 2. This act shall take effect and be in force from and after its passage.<sup>2</sup>

The year the first territorial legislature of Wyoming and Governor John Campbell chose to bring woman suffrage into being was like all years, a transient intersection in time when the present happened, then slid into the past, and future ideas and events did not dwell, even in preliminary form, in infants born. This year of 1869, viewed through the telescope of hindsight, was vastly different from our own times in daily activities and pleasures, science and art. The scientific world as we know it was in the midst of creation. Four years earlier Gregor J. Mendel had published

his article that in time would lead to genetics. In 1869 D. I. Mendeleev had published his first version of the periodic table. Balloons were aviation. John D. Rockefeller had not yet founded the Standard Oil Company, so the corporate era stood behind the veils of the future. The first American professional baseball team, the Cincinnati Reds, had been organized the previous year.<sup>3</sup> In November, 1869, the first intercollegiate football game was played: Rutgers beat Princeton 6 to 4. The Pony Express mail service had slipped into history eight years earlier, yielding to new technology, the telegraph. Louisa May Alcott's *Little Women* was a year old. Sigmund Freud was a 13 year old boy; Mahatma Gandhi and Neville Chamberlain were born that year when Wyoming changed the rules of citizenship. Electric lights and telephones lay in the future. The Central Pacific heading east and the Union Pacific heading west met on Utah's sandy flats at a place called Promontory Point, and Manifest Destiny was a dream realized. Governor John Campbell had attended the celebration, as did some Cheyenneites who had seen the dawn of the steam age when the locomotive arrived in Cheyenne. The man who had said "Let us have peace," Ulysses S. Grant, was

1. *Woman's Journal*, November 16, 1889.

2. *General Laws, Memorials and Resolutions of the Territory of Wyoming*, 1869 (Cheyenne: S. Allan Bristol, Public Printer, 1870), p. 371.

3. Bernard Grun, *The Timetables of History: A Horizontal Linkage of People and Events* (New York: Simon and Schuster, 1982).

the president of the United States. The United States Constitution had fourteen amendments and a fifteenth was under consideration.<sup>4</sup>

This landmark event in the history of American women, conferring the right of suffrage and to hold office, operated continuously throughout the territorial period. Twenty years later, these rights, or most of them—jury duty died along the way—were included in the state constitution and an ideal of equality was set forth in the Declaration of Rights. During the twenty year epoch between the passage of the suffrage act and the final phase of institutionalization, there had been five separate phases: 1) the passage of the act 2) experimentation 3) opposition to the act, a repeal effort 4) maturation and finally, 5) institutionalization in the state constitution. In addition, in the two years before the passage of the act, there were significant related events that were anticipatory. Because the suffrage act reached the state of institutionalization in the state constitution, which centennial is now being celebrated, the legislative history of the 1869 law is important first because it happened, and second, because it was maintained. These important events offer a window into the ever expanding circle of opportunity for women. The nation followed suit fifty-one years after the first territorial legislature acted, and thirty-one years after the constitutional convention acted. Wyoming was, as Secretary Edward M. Lee, one of Wyoming's earliest suffragist proponents proclaimed, in the "vanguard" of the 19th century advances in the status of women.<sup>5</sup>

In 1884, a mere five years before the Wyoming constitution was framed, the editors of the *History of Woman Suffrage* noted the many advances in the status of women

in the previous half century. There had been a great improvement in the legal status of women in the last fifty years, and the last remaining struggle was for suffrage. On a muggy day in August, in Tennessee, Harry Burn and then Banks Turner cast the final votes that sent millions of American women to the polls in 1920. The quest for suffrage begun at Seneca Falls in 1848 had been resolved in the affirmative, and Alexis De Tocqueville had been proven correct in his earlier prediction that democracy would ultimately result in a tilt toward or produce an equality between the sexes.<sup>6</sup>

The importance of the Wyoming contribution to the advances of the status of women was not overlooked outside or inside Wyoming: "No adequate history of our times can ever be written without giving large space to the admission of the first woman suffrage state and the experiments, experiences, and debates that led up to it."<sup>7</sup> That text does not yet exist. A rigorous reconstruction of these events is historically important, and its importance also goes beyond the crucial historical reconstruction to the psychological dimension.

Students of human behavior generally concede three great roots of behavior: the biological, the psychological and the sociocultural. Few would now challenge the maxim that psychological development is intimately entwined with cultural opportunity.<sup>8</sup> Understanding what happened in Wyoming offers a window into the complex matter of the factors that operated to provide the new, for women, opportunity of citizenship and into the impact of cultural restrictions and then cultural opportunity about behavior. While much has been written about discrimination, fewer

4. *Encyclopedia Britannica*, 15th ed., s.v. "Football" (for purists it was soccer style); Howard R. Lamar, ed., *A Reader's Encyclopedia of the American West* (New York: Thomas Y. Crowell Company, 1977), pp. 948-949; Grun, *Timetables of History*; Robert G. Athearn, *Union Pacific Country* (Lincoln: University of Nebraska Press), p. 98; David Lavender, *Westward Vision: The Story of the Oregon Trail* (New York: McGraw-Hill, 1971), p. 347; "John A. Campbell, Diary, 1869-1875," *Annals of Wyoming* 10 (January 1938): 8; William S. McFeely, *Grant: A Biography* (New York: W.W. Norton & Company, 1982), p. 244; *General Laws of the Territory of Wyoming, 1869, Amendments to the Constitution*, pp. 15-17; Eric Foner, *Reconstruction: America's Unfinished Revolution 1863-1877* (New York: Harper and Row Publishers, 1989), p. 446.

5. Virginia Cole Trenholm, ed., *Wyoming Blue Book*, vol II (Cheyenne: Pioneer Printing and Stationery Company, 1974), p. 13; Eleanor Flexner, *A Century of Struggle: The Woman's Rights Movement in the United States* (New York: Atheneum, 1968), pp. 323-324; *General Laws of the Territory of Wyoming, 1869*, p. iv.

6. Susan B. Anthony and Ida Husted Harper, eds., *History of Woman Suffrage 1883-1900*, vol. IV (New York: Arno Press and the New York Times, 1969), pp. xiii-xxxiii; Flexner, *Century of Struggle*, pp. 323-324, 77; Alexis de Tocqueville, *Democracy in America*, vol. II, trans. Henry Reeve, Francis Bowen and Phillips Bradley (New York: Vintage Books of Random House and Alfred A. Knopf, 1945), pp. 222-225.

7. Quote from *Boston Advertiser* found in *Wyoming Commonwealth*, August 17, 1890.

8. Nancy Roeske, ed., "Towards a New Psychology of Women and Men," Special Issue, *Journal of Psychiatric Education* 7 (1983).

9. Kirk Porter, *A History of Suffrage in the United States* (Chicago: University of Chicago Press, 1918), pp. 238-239.

10. Eugene Andersen, "Unchaining the Demons of the Lower World or a Petition of Ninety-Nine Per Cent Against Suffrage," published by the Georgia Association Opposed to Woman Suffrage, n.d.

11. *Woman's Journal*, July 5, 1890.

12. *Cheyenne Daily Leader*, January 13, 1870.

13. *Wyoming Tribune*, January 15, 1870.

14. *Wyoming Tribune*, January 1, 8, 1870.

studies have focused on how and why barriers to full citizenship were removed and how opportunity evolved. The importance of the events in Wyoming to the psychological dimension can only be acknowledged. At the heart of the matter, though, is the fact that casting a ballot was a public act signaling completion of private psychological and cognitive processes. In the psychological sphere the key, operative principles were independent thinking, decision-making, weighing how one's own best interest fit into the larger public scheme of things, or in short, autonomy. This is not to say that every voter reached that ideal, but various views on this issue can be identified in nearly every debate about woman suffrage. Suffragists advanced arguments that women were "fit" for the ballot, while some men feared their dependence and other men feared their independence. Very few identified with precision just what ominous threat the prospect of a woman casting a ballot heralded, but as Kirk Porter pointed out, the men women had to face down in debate were good and decent men,<sup>9</sup> some of whom issued such babblings as "Unchaining the Demons of the Lower World, or A Petition of Ninety-Nine Per Cent Against Suffrage."<sup>10</sup> When Wyoming became a state, as Elizabeth Cady Stanton immediately grasped, it was a turning point for women, from hazy, emotional, and intellectual arguments of what woman suffrage might be, to the practical, pen and ink on the lawbook, an example to point to, a republic in operation.<sup>11</sup> In Wyoming, cultural barriers to personal development fell. Opposition to a woman's voting, to potential autonomy of thinking and expression at the ballot box, was relegated to a matter of opinion, the law having conferred the right. This fait accompli also forced the opposition to woman suffrage to find new methods of expressing their opposition.

The purpose of this paper is to analyze those factors cooperating to inspire the passage of the suffrage act in December, 1869, including the absence of resistances that might have operated adversely in other settings, and the personalities, to the limited extent reconstruction is now possible. It is important not to confuse those factors that started the process with those that operated to maintain it, particularly when the maintenance of the right of suffrage involved posturing to achieve its institutionalization. An arbitrary limit of one month and one day following the passage of the suffrage act has been drawn to separate the phase of experimentation from the phase of passage. The great Cheyenne fire occurred at that point in time, January 11, 1870.<sup>12</sup> This catastrophe naturally captured the time, attention, heart and the pocketbook of the Cheyennes and cut into all the processes of life. In spite of it, the *Wyoming Tribune* seized this opportunity to begin a descriptive phase of women light years away from the 19th century perceptions of women, and taking a prescriptive stance—advancing a new perception of women and their behavior.<sup>13</sup> Also in this month, letters of thanks, almost palpable, began to arrive from suffragists outside the territory,<sup>14</sup> defining the reaction theme of the experimentation phase rather than the reasons for the passage. Thus it is an arbitrary but plausible point for contemporary explanations to emerge. This analysis reports preliminary findings, and has some specific limitations, primarily the absence of materials reflecting the perspective of the Democrats in the territory, and the absence of private contemporary writings of key persons. This analysis is divided into 1) the anticipatory phase 2) the process of passage and 3) the reconstruction of the reasons for passage and 4) finally, other facts pertinent to the passage of the bill, and then the aftermath.

## Part II: Anticipatory Events

There were a myriad of factors operating to provide the fertile soil on which the gossamer ideas of change took root. The press, both in Wyoming and Dakota Territory focused attention on the pros and cons of woman suffrage. In 1867, a young newspaperman from Colorado, a Unionist and Republican, came to Cheyenne. In the eighth issue of his fledgling *Cheyenne Leader*, not yet a daily newspaper, Nathan A. Baker<sup>1</sup> wrote about a "novel" situation down in Kansas, a proposition which if adopted, could "seriously disturb the old order of things in politics throughout the

entire country." Taking an even-handed approach, Baker assessed all variety of reactions to the proposition for giving women the right to vote, and concluded:

If the experiment of female suffrage should be deemed wise and prudent, after trial, and no serious evils succeed, this revolution in the civil and social system, other States will undoubtedly follow the example of Kansas. Many sensible people will regard the whole movement as foolish and fanatical; many others, that instead of securing the object at which it aims, it will be only productive of domestic discord and social confusion, while others are sanguine that this policy, dictated by

the highest and most universal justice would not only be productive of private and public virtue, but would affect public legislation in a most salutary manner. We do not propose to decide this matter, but give the event to our readers as one of the curious movements of this progressive age, that must be discussed and disposed of by the press and platform, and finally by the votes at the ballot box. It will not "down" at our bidding, nor fly at our sneering anathemas.<sup>2</sup>

This stimulus to private discussion would continue throughout the time Baker kept his promise.

Baker was true to his promise although he was not always able to manage a dispassionate approach, and is exemplary of the ambivalent feelings generated by the calls for woman suffrage. He heaped his share of ridicule on all the suffragists, at times tempering it with praise. Baker was one of those receiving copies of the suffragist newspaper, *The Revolution*, funded by George Francis Train. When the erratic Train left Susan B. Anthony in a financial bind, she cut down her distribution list of editors to whom she sent a copy of her paper. Baker was notably undismayed: "Good bye, Sooky!" he wrote. Yet one compliment deserved another and when he found that he was on the exchange list after all, he wrote candidly on June 29, 1869, that he could not endorse all the paper espoused, but, he did "recommend the Revolution as being a valuable and interesting paper for ladies to subscribe for and read." The key point is that he made it possible for anyone who read his paper to be aware of and at least be encouraged to subscribe to the suffragist paper, focused on suffragist reasonings. Though the latter is the endorsement closest in time to the passage of the suffrage bill, the *Leader* had supported *The Revolution* and its philosophy earlier, in October, 1868.<sup>3</sup>

The Dakota press and legislature also played a part in the prelude. Before Wyoming Territory was organized, it was a part of Dakota Territory, which played its own game with a woman suffrage act in the winter of 1868-9. The Dakota House passed a bill conferring suffrage and office holding; the other chamber defeated it, and sent back to the House a substitute, which the pro-suffrage House promptly killed. One Dakota woman judged the substitute

bill a "burlesque" and the motivating spirit of the Council, "mischief." The people down in the part of the territory that would become Wyoming had a variety of ways of finding out about this caper: the Wyoming representative, C.D. Bradley, was on site; the *Dakotaian* carried enough in its weekly issue to inform anyone that something was underfoot, and Baker made limited mention of the action, calling it "humbugging" and "trifling with feelings of females." At least the chief clerk intended for the word to get around since he sent a press release to the *St. Paul Press* stating that Enos Stutsman's bill had passed the House by a majority on December 23, 1868. The editors of the *Press* ridiculed the announcement, waxing to the effect that the West would be where the Salic law was overthrown, predicting a deluge of the strong-minded, who just might get scalped by the Indians—thus dying in a "noble cause."<sup>4</sup>

By February 6, 1869, the editor of the *Union Dakotaian* was having second thoughts about the "feeble" efforts of the legislature to pass a woman suffrage bill. He pointed out what a "sensation" would have been wrought had they done so and the thousands that would have poured into the territory. In other words, advertised the territory and brought that pot of gold ever sought after by each new territory, a horde of new citizens who had gold coins in their pockets. The same melody would echo later in Wyoming events. The reactions of the *St. Paul Press*, which he reprinted, made two significant points. One was that if Dakota proceeded, "the world would have an opportunity to observe the practical results of the experiment . . ." Second, they pointed out that the legislators of eight territories had the authority, by terms of the Organic Act, to decide who would be electors—an easy procedure, compared to the onerous and complex provisions for changing a state constitution.<sup>5</sup>

The Union Pacific Railroad corporation did not offer public resistance to woman suffrage, and its business aims were consistent with attracting men and women to the territory. Wyoming Territory came to be organized because the transcontinental railroad moved across its arid land, not because it linked existing settlements. The railroad corporation was actively engaged in efforts to lure folk to settle on lands along its path. Thus the dominant corpora-

1. Nolie Mumey, *Nathan Addison Baker* (Denver: The Old West Publishing Company, 1965), p. 91; *Cheyenne Leader*, December 28, 1867. I am using the name of the editor of the *Leader* interchangeably with the name of the newspaper, even though Baker may not have authored personally every piece. Baker's tight editorial control is suggested by W. Richardson's statement in the *Argus*, November 12, 1869.
2. *Cheyenne Leader*, October 8, 1867.
3. Eleanor Flexner, *Century of Struggle: The Woman's Rights Movement in the United States* (New York: Atheneum, 1968), p. 151; *Cheyenne Leader*, June 15, 1869; June 29, 1869; October 20, 1868.

4. Dale Gibson, with Lee Gibson and Cameron Harvey, *Attorney for the Frontier: Enos Stutsman* (Canada: University of Manitoba Press, 1983), pp. 74-75; Mrs. John A. Pickler, *South Dakota Historical Collections II* (n.p., 1904), pp. 27-28; *The Union and Dakotaian*, December 26, 1868; *Cheyenne Leader*, January 4, 9, 1869; *The Union and Dakotaian*, February 6, 1869.
5. *The Union and Dakotaian*, February 6, 1869.

tion of Wyoming Territory had a self-interest in supporting whatever would attract settlers and travelers, and they had a variety of strategies in operation. Land agents wanted to lure land purchasers. Excursions of notables, newspaperman, congressman, and bankers would get the word out about the railroad route and the lands. If schools and churches would attract solid settlers, including women, this was in line with the UPRR profit interests. Opposition to anything that contributed to the building of stable railroad towns was lacking, and whatever publicized the territory favorably was simply a supplement to UPRR's promotional budget.<sup>6</sup>

Suffrage for Black men was a big item on the national agenda. One of the great debates of the nineteenth century, crescendoing in the post civil war years, was the question of whether or not to empower Black men with the vote. The decision of the radical Republicans to support Black suffrage as a priority and single issue, jettisoning at least for the time all support of woman suffrage, split the woman suffrage movement.<sup>7</sup> Opponents of Black suffrage early found in the issue of woman suffrage a strong counter-argument to Black suffrage; woman suffrage in this context was proposed as an antidote for Black suffrage. Senator Cowan of Pennsylvania proposed striking the word male from a bill which would have given Blacks the vote in the District of Columbia. Cowan, who did not favor woman suffrage per se, vowed ". . . if negroes were to vote I would persist in opening the door to females." His argument for universal suffrage, including women, was his expression of opposition:

While I yield to the demand for negro suffrage, I demand at the same time female suffrage; and when I yield to the question of manhood suffrage, I feel assured I throw along the antidote to all the poison which I suppose would accompany the first proposition. I am not afraid of negro suffrage if you allow female suffrage to go hand in hand with it.<sup>8</sup>

Laughter punctuated, occasionally, the bitter and convoluted debate.<sup>9</sup> When Black suffrage was on the agenda of state legislatures, the same refrain could be identified in a myriad of melodies. In Connecticut, for instance, in 1867, the same year that suffragist Edward M. Lee served in the House, (he was later Secretary of Wyoming Territory), Mr. Waller confessed that he was not a complete convert to the "doctrine" that women should vote, but that he did judge women to be "more worthy" of the ballot

than Blacks. Furthermore, he would be "ashamed" to go home and tell his wife that he thought her less qualified for the ballot than those of another race.<sup>10</sup>

Speaker of the Wyoming House, Sterrit M. Curran, had served in the Nebraska legislature at a time the Nebraskans were chafing about Black suffrage. At that time he signed a minority report calling for universal suffrage, an expression of opposition to the Congressional demand for Black suffrage.<sup>11</sup>

When the 15th amendment passed out of Congress for action by the states, the Nevada legislature, after resistance, passed two constitutional amendments designed to give Black men and also women the right to vote. Neither amendment survived the additional procedures to become law. It is worth noting that a member of the first Wyoming Council called for two copies of the Nevada code and got them the next day, fast enough to suggest they were already on hand in Secretary Lee's office.<sup>12</sup>

Cowan was not the only man who favored woman suffrage, not as justice, but as a reform, a way of going on, burying in peace what war had not decided. There is modest evidence that there were some in Wyoming who favored the ideas of Clement L. Vallandigham. He was a peace democrat, a copperhead, who idealized the southern way of life, was in fact exiled there by President Lincoln. After the war, he advocated a new course, a burying of opposition to civil war and reconstruction issues, especially Black suffrage, which was called the New Departure. What changed was the rhetoric of racial opposition, but opposition to enforcement of the federal reconstruction amendments remained. In 1867, the *Leader* made an oblique reference to the Democrats, Vallandigham, and the Republican overload of issues, like woman suffrage and temperance. The *Sweetwater Mines* reported ledges named for Jefferson Davis and Vallandigham. Governor John A. Campbell wrote a letter to General Christopher C. Augur in which he confessed he was a partisan and opposing followers of Sterling "Pap" Price, Davis, and Vallandigham. Writing about the repeal in Wyoming, Henry Blackwell asserted without further explanation that the Wyoming act was passed partly out of conviction, partly out of the influence of Vallandigham's ideas. Blackwell explained that the Ohio Committee on the platform removed

10. *The Daily Courier*, July 18, 1867.

11. Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joselyn Gage, eds., *History of Woman Suffrage 1876-1885*, vol. 3 (New York: Arno & The New York Times, 1969), p. 674.

12. Jill M. Winter, "From Women's Suffrage to ERA and Beyond: Women's Rights in Nevada," *Nevada Public Affairs Review* (1983): 4; *Council Journal of the First Legislative Assembly, Territory of Wyoming*, 1869, pp. 23, 30.

6. Robert G. Athearn, *Union Pacific Country* (Lincoln: University of Nebraska Press, 1976), pp. 117-118, 147-157.

7. Flexner, *Century of Struggle*, pp. 145-146.

8. *Congressional Globe*, 39th Congress, 2nd sess., 1866, December 10, 11, pp. 57, 59.

9. *Daily National Intelligencer*, December 12, 1866.

by a majority of one the word sex from the original draft. So, said Blackwell, woman suffrage failed to become a national Democratic issue in 1871. The *South Pass News*, in August, 1871, reprinting from the *Wyoming Tribune*, noted that Vallandigham had tried for several hours to persuade his friends to add woman suffrage to the "new departure platform." Also in 1871, the *Leader* noted Vallandigham's capitulation to Black suffrage and recalled his earlier opposition, which promised miscegenation. Likely the loss of the Democratic perspective due to absence of Democratic Cheyenne newspapers has left only soft remnants of a more important influence.<sup>13</sup>

The visit and speeches of three suffragists, George Francis Train, Anna Dickinson, and Redelia Bates, served to focus attention on woman suffrage, even if these inspired Baker's opposition. One of the territorial officers, Secretary Lee, arrived with solid suffragist credentials, access to the national lecture circuit, a scheme to run for Delegate to Congress, and he was visible in the territory when Bates and Dickinson endeavored to sway people to a favorable opinion of woman suffrage.

George Francis Train, an eccentric, wealthy suffragist visited Cheyenne in 1867. Editor Baker welched on his promise to cover woman suffrage on this occasion. Train spoke on a wide variety of topics, including woman suffrage. The frenetic Train climbed on a box one moonlight evening in Cheyenne and called for woman suffrage from a racial perch: do you want your wives, daughters, and sisters to have fewer political rights than Blacks? queried Train. An observer noted that the crowd's reaction was clear: they did not favor woman suffrage. Cheyenne that night was not a suffragist town. Though Baker covered and reported the speech, heaping praise on the man who was going to put his money into a hotel in Cheyenne, Baker did not print one word about the part of his speech which called for woman suffrage.<sup>14</sup>

Edwin Merwin Lee, a lawyer of Guilford, Connecticut, a former Union Army officer, was appointed by President Grant as Secretary of Wyoming Territory. Aspiring to the position of Delegate to Congress, Lee was conducting a campaign of sorts for it. He, Judge Howe and Governor Campbell arrived in Wyoming May 7, 1869. Lee had advocated woman suffrage in the House of the Connecticut legislature in 1867, with fair success. Just when this first became known is uncertain. As secretary, Lee controlled the printing patronage. Brother Republican Nathan A. Baker wanted it, and a good case could be made that he had earned it. Lee had a scheme going, but probably Baker did not know this yet. Baker knew who could ink his presses with work, and he may have tried to curry a little favor. While it was in character for Baker to cover the woman suffrage story, it was not in character for him to bellow on the front pages to bring in a suffragist to speak. On Monday, June 7, the first issue following a big banquet hosted by another territorial official with congress on his mind, at which Secretary Lee and Editor Baker were both present, Baker called front page center for someone, James McDaniel of McDaniel's Theatre, an entertainment spot, to arrange a visit and lecture by Miss Anna Dickinson.<sup>15</sup>

Someone, probably Lee, did arrange such a lecture. On September 18, Baker noted that Dickinson had passed through town, was pleased with her trip west, and that she looked better than she had a few weeks earlier. That must have been icing on the cake, since Baker had pronounced her "good looking" the first time. Baker also announced on the back page of the same September issue that he had received a ticket to her lecture (he called her "Mr. Anna Dickinson") which was to be at the U.S. Court House the following Friday. On Thursday, Baker troubled himself to publish a most unflattering account of the reaction to her speech in San Francisco, and he put it on the front page again.<sup>16</sup>

On Friday, the day of her speech, which he had called for, Baker showed his colors. He wrote a long editorial titled "Men and Women." Baker expressed himself on the side of politeness, the little niceties that soften and made living pleasant. He proceeded to applaud the American way of "courtesy uniformly shown toward women in our

13. Walter Havighurst, *Ohio: A Bicentennial History* (New York: W. W. Norton & Company, Inc., 1976), pp. 100-101; Eric Foner, *Reconstruction: America's Unfinished Revolution 1863-1877* (New York: Harper and Row Publishers, 1989), pp. 505-506; *Cheyenne Leader*, October 19, 1867; *Sweetwater Mines*, March 25, 1868; Governor John A. Campbell to C. C. Augur, October 23, 1869, Governor John A. Campbell Letterpress Book, Archives and Records Management Division, Wyoming State Archives, Museums and Historical Department (AMH), Cheyenne; *Woman's Journal*, December 23, 1871; *South Pass News*, August 13, 1871; *Cheyenne Leader*, June 5, 1871.

14. Louis L. Simonin, *The Rocky Mountain West in 1867*, trans. Wilson O. Clough (Lincoln: University of Nebraska Press, 1966), pp. 146-147; *Cheyenne Leader*, November 19, 1867; November 12, 1867.

15. "John A. Campbell, Diary 1869-1875," *Annals of Wyoming* 10 (January 1938): 7, 11; *House Journal, Connecticut Legislature*, 1869, p. 777; Edward M. Lee to Hon. R. W. Taylor, October 26, 1869, E. M. Lee Letterpress Book, Archives and Records Management Division, AMH; *Cheyenne Leader*, June 7, 1869.

16. *Cheyenne Leader*, September 18, 1869; June 18, 1869; September 23, 1869.



Cheyenne as it appeared in 1868.

land." American women, asserted Baker, are "entirely relieved from all drudgery and menial labor." They are "petted and indulged and worshipped" and "encouraged and protected and patronized" more than in any other country. Women had been "welcomed" in science, in law, and at the podium. And he felt it remained for America to open the doors of all occupations and professions to women that they were competent to fill and wanted to fill—this, to Baker, was just and proper. He was glad for the liberal sentiment in that direction. But while he favored women's rights, and because he favored women's rights, he opposed suffrage. Just lower than the angels, woman was still weaker as God and nature had proclaimed. Calling up the old physiology argument (without citing any proof of the physiology pudding), Baker stated that women's physiological inferiority "forever confirms her incompetency for places of great public trust." Proceeding to dissect (by his lights) Catherine the Great and Queens Elizabeth and Victoria, he credited men with their accomplishments.<sup>17</sup>

Warming to his point, Baker stated that men had created "peace, order and protection," without acknowledging the recent war. Continued Baker: "Men make it possible for women to harangue the public with long preposterous theories about the oppression and wrong which they *imagine* their sex is suffering in this free land." Women had better be glad that men had organized things so that the women were "not slaves and victims of riot and rapine." Suffrage and petticoat government would come at the price of less male regard and consideration. Women had never been brought into conflict with "man's subtlety or the terrible force of his energy." Baker's editorial is a good example of the oppositions to suffrage, entertained by upright men.<sup>18</sup>

Baker announced Dickinson's speech, scheduled for that evening, also front page. He showered her person with praise, "most entertaining and graceful of female orators." As a lady she was fine; but, as a suffragist, she

17. *Cheyenne Leader*, September 24, 1869.

"must come in for her share of the ridicule" even though she was "the most ladylike, the best looking, and decidedly the most *feminine* of all the suffragers." "But as a gentleman she is not a success." Such was the welcome of Anna Dickinson to Wyoming Territory in September, 1869, just three months before the suffrage bill passed.<sup>19</sup>

Two hundred and fifty people, including Governor Campbell, showed up to hear Dickinson. Introduced by Lee, Dickinson made her speech and naturally Baker did not approve. He described everything about her person but her teeth: Below medium height, dark, curly hair, oval face, big head indicating "large propelling powers, courage, firmness and energy" (this was the age of phrenology), "not good-looking or even pretty" except when her face lit up from her thoughts and then she was "almost beautiful." She wore a black dress, diamond jewelry and a gold chain she fingered as she spoke. Her voice was "heavy, masculine and anything but musical." He omitted giving the content of her message, which he judged to be well received, but which, nevertheless, he challenged on a variety of grounds. She is a reformer who is well paid to talk her reform talk, charged Baker. Many years later prominent women would reach a similar conclusion.<sup>20</sup>

Redelia Bates gave a suffrage lecture in Cheyenne while the first territorial legislature was in session. Lee was a prime candidate for having had a hand in bringing her to Cheyenne, and adding a sweetener to curry a prestigious place to speak. On November 3, in a brief item on the back page, Baker noted that Bates, "the noted female writer and lecturer" would lecture in Cheyenne on November 5, 1869, about "The Question of The Hour." Predicting a large turnout of citizens, Baker described her as "wideawake in the cause of woman's rights." Admission was fifty cents. The next day, Louis Miller, representative from Laramie, asked for the use of the Hall of the House of Representatives for her lecture. If he indicated that this was to be a suffragist lecture, it was not noted in the legislative record. Carried. The next motion from Miller was that a committee be appointed to see Lee about a committee room. Carried. Committee appointed. On November 5, Baker announced Bates' arrival and that her topic was woman suffrage and that her lecture would be given in the Hall of the House of Representatives. He included the opinion of

the *Denver News* that she was better than Dickinson. He also welcomed her business manager, M. E. Ward, who had previously been Associate Editor of the *Cheyenne Leader*. On the morning of November 5, 1869, Miller reported that Lee had been obliging: he would furnish the committee room on Monday, which was after Bates' speech.<sup>21</sup>

On Friday evening Bates spoke. What is not reported is as interesting as what was. Baker did not report who introduced Bates, nor how many came to hear, "not large" but "appreciative" of whatever she said. Basically, as with Dickinson, Baker described her physical appearance and decried her womanly way of doing an unwomanly thing— orating. He said she spoke in the court house. Lee, when his newspaper appeared two weeks later, would state she spoke to a "large and appreciative audience" in the Hall of the House of Representatives.<sup>22</sup>

At least one representative, Posey Wilson, felt a problem had occurred about the use of the Hall of the House of Representatives. Wilson introduced a resolution: "Resolved. That the hall of the house of representatives, shall not be tendered to any person, or persons, for any purpose whatever, without first obtaining (sic) the consent of two-thirds of the members of the house." Adopted. Then a member introduced a resolution to thank Lee for his prompt response to requests by members. One member opposed. Miller who had received Lee's notice that he had supplied a committee room, moved to adopt. Lost. A motion to reconsider also lost. The House moved to other business; they would not thank Lee for anything that day.<sup>23</sup>

One of the most significant events that anticipated the passage of the woman suffrage bill was a formal written opinion, issued by the young lawyer and United States Attorney for the Territory of Wyoming, Joseph M. Carey. Had Campbell wished to oppose the legislature, after it passed the woman suffrage bill, he would have run smack into the opinion of his own young colleague, who was leaving no stone unturned to assure the right of Black men to vote. The problem on which the issue turned had come from the very beginning of the territory. The territory of Wyoming was organized in May, 1869. Governor Campbell ordered a census, which dragged out until late July, delaying the election of the legislature and the Delegate

18. *Cheyenne Leader*, September 24, 1869.

19. *Cheyenne Leader*, September 24, 1869.

20. *Cheyenne Leader*, September 25, 1869; Eleanor Roosevelt and Lorena A. Hickok, *Ladies of Courage* (New York: G. P. Putnam's Sons, 1954), pp. 6-7.

21. *Cheyenne Leader*, November 3, 1869; *House Journal, First Legislative Assembly, Territory of Wyoming, 1869*, p. 59; *Cheyenne Leader*, November 5, 1869; *House Journal*, 1869, p. 61.

22. *Cheyenne Leader*, November 6, 1869; *Wyoming Tribune*, November 20, 1869.

23. *House Journal*, 1869, p. 68.



to Congress. There were three separate issues concerning eligibility for voting in the September 2, 1869, election: residency requirements, the right of Blacks to vote, and the right of soldiers to vote.<sup>24</sup>

Residency requirements for voting had been muddled. One problem with deciding which resident was eligible to vote was the long lag between the organic law which organized the territory in July, 1868, and the effective date of the act, defined as when the officers qualified, which was May 19, 1869. Could only those in the territory in July, 1868, vote? Or could those who came after that date vote? Or was this simply an extension of the right of suffrage, not to abridge or restrict the laws of Dakota?

Both the Republican and the Democratic candidates requested an opinion from Carey, who issued a long, tightly reasoned opinion. His bottom line was that the right of suffrage was extended to those in the territory in July, 1868, but not restricted to those then present. Any male person above the age of 21 who had been in the territory 90 days, in the county 20 days preceding the election, could vote—a citizen or a person declaring an intent to be a citizen and who had taken an oath to support the Constitution. This same opinion flatly stated, citing the authority of the organic law, that the legislature of Wyoming “may specify who are electors and who are eligible to hold office, provided it does not make a residence in the Territory previous to July 25th, 1868, a necessary qualification, and does not abridge these rights on account of race, color or previous condition of servitude.” It is one skein of the future that the U.S. Attorney of Wyoming Territory stated unequivocally that the legislature could do as it pleased so long as no residency requirement before July, 1868, was imposed and so long as the right to vote was not restricted because of race or prior condition of slavery. Carey had assured the legal basis for Blacks to vote in Wyoming in the September elections in keeping with his beliefs against slavery and discrimination against Blacks who had been slaves. In this opinion, he also clearly went on record that the legislature of Wyoming could “specify who are electors”—presumably including women.<sup>25</sup>

Partisan dissension between the governor and Laramie County Democrats also focused on soldiers and their right to vote. Implicit in this too was the power of the post trader to control votes, though this did not surface in the local newspapers. This issue contributed to the homefolk’s feel-

ing that skullduggery was afoot, but the details belong to another story. What is important to the woman suffrage story is the fact that Republicans were thought to be currying the soldiers’ vote just as they had, and apparently succeeded, in getting much of the Black vote. Practical politics would suggest that the Democrats could use votes to counterbalance these relatively small but potentially important voters.<sup>26</sup>

What were the women of Wyoming doing, and what had they been doing in the years before the legislature passed the woman suffrage bill? On this point an open mind to all data is essential since the most likely source of information, a newspaper, was by custom closed to the report of individual women’s doings, except for a few advertisements by business women. While not an absolute or invariable practice, newspapermen usually did not report women’s actions by name. Even in laudatory social affairs, the ladies who were hostesses or participants were acknowledged by a first initial or a dash, or by the relationship to a man: “Dr. Scott and lady”;<sup>27</sup> a strawberry festival, “Mrs. P\_t, Mrs. B\_l”;<sup>28</sup> a party, the host and hostess named, the guests identified by initials;<sup>29</sup> a railroad excursion, “Mrs. H\_r . . . Misses L. and P.”<sup>30</sup> Deviant women were more likely to have their full names emblazoned in ink. When the vigilantes invited folk to leave Cheyenne in the columns of the *Rocky Mountain Star*, Nell Murphy was one of those named.<sup>31</sup> Emma Cleveland, “fallen angel,” also got publicity when she shot at “sporting man” McFatter, giving at least one first territorial legislator, who voted yes on woman suffrage, a lesson from the handbook of one kind of womanhood.<sup>32</sup> Very few copies of *Cheyenne Argus*, the *Laramie Sentinel* and the *Rocky Mountain Star* remain for the period from May, 1869, to January, 1870, and this prevents reaching a judgment about the extent of the general custom. However, the weekly *Rocky Mountain Star*, reporting on New Years festivities of 1869, stated it could fill a column about the event but that “ladies do not care to be publicly advertised.”<sup>33</sup> The same paper reporting a social event did report some ladies by name, Mrs. Baker, and some as related to their escort, Mr. Whitehead and ladies.<sup>34</sup> Even though the activities such

26. *Cheyenne Leader*, August 24, 27, 1869; *Chicago Tribune*, November 13, 1869; *Cheyenne Leader*, August 26, 1869; August 25, 1869.

27. *Cheyenne Leader*, January 21; August 22, 1868.

28. *Wyoming Tribune*, July 2, 1870.

29. *Sweetwater Mines*, July 3, 1868.

30. *Cheyenne Leader*, June 14, 1869.

31. *Cheyenne Leader*, January 22, 1868.

32. *Cheyenne Leader*, June 9, 1869.

33. *Weekly Rocky Mountain Star*, January 13, 1869.

34. *Weekly Rocky Mountain Star*, June 9, 1869.

24. *Council Journal, First Legislative Assembly of the Territory of Wyoming*, Governor’s Message, p. 9; *Cheyenne Leader*, August 25, 1869; W. L. Kuykendall, *Frontier Days* (J.M. and H.L. Kuykendall, Publishers, 1917), P. 132.

25. *Cheyenne Leader*, August 25, 1869; *Woman’s Tribune* (April 1887).



Cheyenne, 1872.

as these undertaken by the social and civic-minded women were reported, the individual women involved often were not. Exceptions, however, such as prominent women passing through town or a hostess, are readily found.<sup>35</sup>

Women were, however, included in the social life of the community. At least one newspaperman intended to address both men and women; in the same issue, an editorial calling for schools acknowledged the need for women and families as the glue of the social fabric. Women especially were invited to a theatre, a school opening and to the July 4th celebration; ladies were invited to the debate on temperance. The editor of the *Leader*, believing that the presence of wives and daughters would elevate the moral status of the town, suggested that men bring their families to Cheyenne. Old settler J. R. Whitehead at a Masonic festival gave a thoughtful and startlingly direct explanation of why ladies were excluded from the order. Ladies were excluded because they did not need the social bonds and commitment to good works and because the men could not handle it, "consciousness of our own weakness"—men would, if women were present, turn rivals to their friends.<sup>36</sup>

Women by name could be found on the church documents and their labors, like raising money for the church through festivals and donations (a gift-giving party for the preacher), showed up in the newspapers. These funds were accepted and put to use, even if the propriety of that

35. Exceptions e.g., *Cheyenne Leader*, August 6, 12, 18, 21, 1868.
36. *Cheyenne Leader*, October 24, 1867; December 3, 1867; April 1, 1869; January 3, 1868; July 3, 1868; February 15, 1868; July 1, 1868.
37. Records of the Methodist Church, H255a-c, Historical Research and Publications Division, AMH; Cheyenne Church Records and Laramie Church Records, MSS 39283, Laramie County Library, Cheyenne, Wyoming; Daniel Y. Meschter, "History of the Presbyterian Church in Rawlins, Wyoming," *Annals of Wyoming* 38 (October 1966): 173-212; *Cheyenne Leader*, June 18, 19, 1868; Reverend Joseph Cook, *Diary and Letters of the Reverend Joseph W. Cook, Missionary to Cheyenne* (Laramie: Laramie Republican Company, 1919), pp. 33, 75, 99-100, 102.
38. *Cheyenne Leader*, September 10, 1868; September 13, 1869; October 30, 1869; December 10, 1870; September 14, 1869.
39. "John A. Campbell Diary 1869-1875," *Annals of Wyoming* 10 (April 1938): 65.
40. Anthony, et. al., *History of Woman Suffrage*, vol. 3, p. 731.
41. *The Revolution*, January 27, 1870.
42. "John A. Campbell, Diary 1869-1875," *Annals of Wyoming* 10 (April 1938): 72.

method of fund raising, by public festivals, troubled one preacher. Women were schoolteachers, and more were needed than available. Women by name showed up in the brand list and tax rolls, and of course, the census.<sup>37</sup>

Prostitutes, though euphemisms were used, were openly discussed in the newspapers, sometimes sympathetically, often with an eye to reform. These women by name showed up on police dockets or anonymously in reports, such as "The Wages of Sin," which listed fines assessed, forty women at five dollars. Baker challenged the action, and implicitly the hypocrisy of it, commenting that the "periodical flinging of corporation stones" placed Cheyenne high on the throne of the virtuous reformers. Vice money, nevertheless, helped to swell the coffers. Baker called for an end to prostitution, through prosecution, through condemnation of the male patrons as well as the prostitute, through reform efforts by men and women, and finally through women reforming women. This latter activity was Baker's suggestion as an activity for women in lieu of woman suffrage. Baker also recog-

nized that the desire to collect the money dimmed the vision of it as vice money.<sup>38</sup>

Governor Campbell, at least judging by his later comments, did not arrive in the territory as a suffragist. Though he attended Dickinson's lecture,<sup>39</sup> Campbell was not an ardent proponent or opponent of woman suffrage. The issue, at the time, was not high on his agenda, although he evolved into a devoted suffragist. His disinterest adds to the difficulty of an even handed reconstruction of events. For example, the national suffragists reported that Amalia Post called on Campbell and asked him to sign the bill.<sup>40</sup> No such visit appears in his diary, and he did list dozens of citizens with whom he spoke. However, the governor attended a national suffrage meeting in Washington on January 20, 1870. The excitement generated by the presence of the governor of Wyoming, the suffrage territory, rippled across the audience, disturbing a speech being given by Olympia Brown.<sup>41</sup> However excited the ladies may have been by his presence, the occasion was not a sufficient experience to Campbell to record in his diary.<sup>42</sup>

## Part III: Passage of the Bill and Samples of Press Coverage

On September 2, 1869, the men of Wyoming sent the federal officials and the Republicans a message and elected Democrats, and only Democrats, as their representatives to the first territorial legislature. In a harbinger of things to come, they elected S. F. Nuckolls, also a Democrat, who was accused, of being a "woman-hunting, woman-whipping, baby-stealing slave driver." Nuckolls was a Virginian and he had been a slave owner in Nebraska.<sup>1</sup>

Just after the election, Baker charged the Democrats with importing voters, and judged that the "barbarism and rebelism" in Wyoming had to be civilized. He added cryptically: ". . . there shall yet be worked out a revolution in the moral and political status of Wyoming."<sup>2</sup>

At half past twelve, on October 12, 1869, most of the Democrats elected were present in Cheyenne. Secretary Lee called the legislature to order; Chief Justice Howe administered the oath. They began with laughter, "some confusion and merriment." Some of the few anecdotes about them and their work suggest they were earnest, and jovial and high-spirited. The Council met on the second floor of the frame post office. The House deliberated in a room covered by several inches of sawdust, and in which a stove cut the chill from the wintery air.<sup>3</sup>

Though William H. Bright promised on Friday, November 12, 1869, that he would introduce a bill for women's rights, the announcement did not show up in the *Cheyenne Leader* which devoted only one sentence to the Council's activities for that day. On Saturday, November 27, Bright introduced his bill to give the vote to the women of Wyoming. It was read twice and referred to the committee of the whole.<sup>4</sup>

Press coverage was scant. A small item on the back page of the *Leader*, titled "INTERESTING QUESTION," gave notice of the event: "Col. Bright, of the Council, has

1. Virginia Cole Trenholm, ed., *Wyoming Blue Book*, vol. I (Cheyenne: Pioneer Printing & Stationery Co., 1974), pp. 151-152, 284; *Cheyenne Leader*, August 23, 1869; J. Sterling Morton, *Illustrated History of Nebraska*, vol. II (Lincoln: Jacob North & Company, 1907), pp. 62-63; Alfred Sorenson, *History of Omaha* (Omaha: Gibson, Miller & Richardson, Printers, 1889), pp. 134-135.
2. *Cheyenne Leader*, September 4, 1869.
3. *Cheyenne Leader*, October 12, 1869; W. L. Kuykendall, *Frontier Days* (J.M. and H. L. Kuykendall Publishers, 1917), pp. 132-134.
4. *Council Journal of the First Legislative Assembly of the Territory of Wyoming, 1869*, p. 66; *Cheyenne Leader*, November 12, 1869; *Council Journal*, p. 110.

introduced in the Council, a bill providing for female suffrage in this Territory. It will be up for consideration tonight, at the evening session, on which occasion many of our citizens will doubtless find it convenient to attend." The second issue of the newly issued *Wyoming Tribune* also took brief notice, though separate from the other reports on the legislative proceedings. Titled "THE WORLD MOVES," it was even more skeletal than the *Leader*—failing to announce the upcoming Saturday evening discussion:

President Bright, of the Council, has presented a bill for an Act to grant the women of Wyoming Territory the right of suffrage. The bill has passed the first and second reading, and been referred to [the] committee of the whole.<sup>5</sup>

In the Saturday evening session the committee "reported council bill No. 70 back to the council, with the recommendation that it pass with the following amendment: to strike out the words 'entitled an act.'" Later that evening the bill was taken up, and on motion of Councilman George Wilson, postponed.<sup>6</sup>

In the next issue of the *Leader*, Monday, November 29, the man who had promised to cover the woman suffrage debate covered the health of an acquaintance, newspaperman A. D. Richardson (shot in a notorious affair), and the Sunday snow, but he wrote not one word about the action in the Council in its Saturday night suffrage show. The newspaper remained quiet about Tuesday, November 30.<sup>7</sup>

The woman suffrage bill was passed immediately after a bill giving married women rights to their property. On November 30, 1869, the Council received word that the House had passed, among other bills, a married women's property act.<sup>8</sup> Two issues are important. First, this once radical protection of women's property had become, in a quiet revolution, a standard provision,<sup>9</sup> though the provision could be narrow and restrictive or broad and generous. The Wyoming experience bears this out. Lawyer William S. Rockwell gave notice on November 1, that he would introduce this bill on November 2, and he did do this in the Council on November 3. It passed the Council, George Wilson dissenting.<sup>10</sup> The House, with 2 dissenters, young Mr. Strong and Speaker Curran, both of whom

would also oppose the suffrage bill, passed the bill on November 29, and sent word to the Council, which took each bill passed by the House, acted and then enrolled the bills.<sup>11</sup> Though there is no evidence to support this speculation, it would have been fine strategy to wait until all key bills conferring rights on women, which the property act surely did, had been acted on favorably by both houses and were set to go to the governor. Such sequencing would have safeguarded these bills against tampering by suffrage opponents, who could have used them as leverage for negotiation; the antis did in fact introduce legislation to encumber the suffrage bill.<sup>12</sup> None of the three lawyers, Ben Sheeks, Rockwell, and James R. Whitehead, who opposed the bill and its provisions, were very generous. The *Leader* gave strong support to the bill, suggesting it was needed more in a territory than in settled states. He argued that a clear moral right of a wife to protection in property should be made into a legal right.<sup>13</sup>

Someone was watching these events with hopeful eyes, and writing a letter. A letter written November 14, 1869, unsigned and identified as a private letter, was published in *The Revolution*. This letter spoke of the advanced position about women's property rights shown by the Wyoming Council which had passed the Married Women's Property Act. The letter went on to say "Yesterday a bill was presented by the President of the Council to allow women to vote." The writer further said that "from my conversation with the members of the Legislature I am inclined to the opinion that such will soon be the law of Wyoming." The writer was off by one day; Mr. Bright gave notice on November 12 he would introduce a bill for women's rights. There are at least two sets of candidates who might have authored the letter. Any member of Esther Hobart Morris' family, including Mrs. Morris, could have been writing to their kinswoman, Mrs. Chatfield, at *The Revolution*, and since it was a private letter, it makes it the better possibility. Couple that with the fact that E. A. Slack was in Cheyenne on November 13, and given the custom of silence about the ladies, so might his mother. Excerpts from letters written by Morris' sons do appear in *The Revolution*. The other possibility is Lee, who later wrote to *The Revolution*, but he typically signed his name and made his claim publicly, or was identified by the editors. Leapfrogging ahead for a moment, it will later

5. *Cheyenne Leader*, November 27, 1869; *Wyoming Tribune*, November 27, 1869.

6. *Council Journal*, pp. 112, 115.

7. *Cheyenne Leader*, November 29, 30; December 1, 1869.

8. *Council Journal*, p. 121.

9. Kay Ellen Thurman, "The Married Women's Property Acts," (Master of Laws thesis, University of Wisconsin, 1978), p. 7.

10. *Council Journal*, pp. 50, 54, 65.

11. *House Journal, First Legislative Assembly of Wyoming, 1869*, p. 148. This document suggests an error in the dating of the message to the Council. *Council Journal*, p. 121.

12. *House Journal*, p. 213.

13. *Cheyenne Leader*, November 10, 1869.

be said that Morris gave Bright the bill he introduced. E. A. Slack's presence in Cheyenne means that there was opportunity and mechanism for Morris to send or deliver a bill to Bright, which of course is not the same as showing that either did.<sup>14</sup>

After the Married Women's Property Act, and other bills from the House were enrolled, the very next bill taken up was Council Bill 70, the woman suffrage bill, which was read a third time and passed: 6 ayes: Bright, James W. Brady, Frederick Laycock, T. D. Murrin, Rev. W. C. Poole, and Wilson; 2 noes: Rockwell and Whitehead; 1 absent: George W. Wardman. On November 30, the Council sent word to the House that it had passed the woman suffrage bill, and the message was received by the House in the afternoon session. Shortly, thereafter, Council Bill 70 was taken up and read the first time. On motion of Sheeks, the rules were suspended, the bill read a second time by title and referred to a committee of the whole House, and made a special order for 7:00 p.m.<sup>15</sup>

At the evening session, J. N. Douglas moved that the House reconsider its action on Council Bill 70. It was made a special order for this hour and referred to a special committee. Carried. Speaker appointed Douglas, James W. Menefee, and J. C. Abney. On Wednesday, December 1, 1869, the *Leader* did not report on the Council events, much

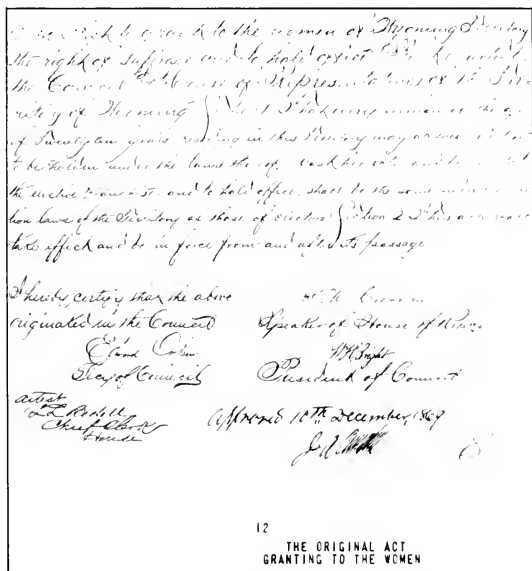
less the reasons for the actions by the House. Women were featured on the front page; a brief report and comment about the courtesy due ladies at *all* times, with emphasis on all. In Philadelphia, women students who wished to be doctors had attended a lecture and been jeered by the men. "The conduct of the rowdy students of that institution was very properly condemned, throughout the entire country, by not only the friends of woman's advancement and elevation, but by every decent man and woman in the country." Evening lectures for women had been scheduled, approved the *Leader*, not in tune with sexual segregation. There was also space to cover the health and bedside marriage of the dying newspaperman, A. D. Richardson, again. But there was not one word about the wind of woman suffrage that swept through the Council hall and was making its way through the House.<sup>16</sup>

On Saturday, December 4, 1869, in the morning session,<sup>17</sup> Douglas, actually Dr. Douglas, whose flamboyant associate specialized in the diseases of women,<sup>18</sup> presented the report of the special committee to which the Council suffrage bill had been sent. The special committee recommended passage. Abney, a member of the special committee, moved to adopt and the report was adopted.<sup>19</sup>

During the afternoon session, Council Bill 70 was again taken up. Sheeks moved to postpone indefinitely. Lost. On motion of Douglas, the bill was made a special order of business for 7 p.m. Another Saturday night suffrage show was scheduled, but the *Leader* did not, may not have had time, to announce it. The new weekly *Tribune* carried only a supportive front page item on that Saturday, December 4, 1869:

The passage of the Woman's Suffrage Bill is likely to be THE measure of the session, and we are glad our Legislature have taken the initiative in this movement, which is destined to become universal. Better appear to lead than to hinder when a movement is inevitable.<sup>20</sup>

The press was not turning out people for the legislative discussion.



The original suffrage bill passed by Wyoming's First Territorial Assembly and signed into law in 1869.

14. *The Revolution*, December 2, 1869; *Owego Gazette*, May 3, 1917; I am indebted to Mrs. Edward Day for giving me a copy of a letter to Cousin Frankie from E. A. Sack, November 13, 1869; *The Revolution*, January 13; March 17, 1870; February 17; March 3, 1870.  
 15. *Council Journal*, p. 122; *House Journal*, pp. 157-158.  
 16. *House Journal* p. 159; *Cheyenne Leader*, December 1, 1869.  
 17. *House Journal* p. 189.  
 18. *Rocky Mountain News*, March 31, 1866.  
 19. *House Journal*, p. 157.  
 20. *House Journal*, p. 196; *Cheyenne Leader*, December 4, 1869; *Wyoming Tribune*, December 4, 1869.

The evening session began at 7 p.m. Speaker Curran was in the chair; roll call showed three absent—Abney, Howard Sebree, and Wilson. J. C. Strong moved that they be sent for, and they were. Douglas moved to suspend further proceedings; Strong moved, and the House agreed, to form a committee of the whole to consider the suffrage bill. Douglas took the chair. "After some time," Douglas reported to Speaker Curran that the committee reported the bill back to the House. Wilson moved the report be received. Lost. Sheeks moved that messages from Council be taken up. Lost. Sheeks moved to adjourn. Lost. Young Strong moved to reconsider the vote on the reception of the report of the committee. Lost. Strong appealed from the decision of the chair; appeal not sustained. Sheeks moved to adjourn. Lost. Strong moved to adjourn. Lost. Herman Haas moved to take up Council messages. Agreed. There was no other mention of the bill in this Saturday evening session, December 4, 1869, which ended at 7:55 p.m.<sup>21</sup>

On Monday, December 6, during the afternoon session, William Herrick moved to consider the suffrage bill. It was taken up; Speaker Curran called Sebree to the chair and absentees were called to the hall. Curran, Strong, and Sheeks tried delaying tactics.

Sheeks moved to recess until 7 p.m. Lost.

Curran moved the bill be postponed until Independence Day, 1870. Lost.

Sheeks moved to postpone until the following Saturday. Lost. Curran moved to insert in Section, 2, which was the date the bill was in force, "three years or sooner discharged." Lost.

The next effort to defeat tried to limit who could vote.

Sheeks moved to amend section 2 to "all colored women and squaws." Miller moved to lay on the table. Done.

Strong, invoking another dimension of limitation, moved to substitute "ladies" for "women." Miller moved to lay on the table. Done.

The final effort was to limit.

Sheeks moved to raise the age to 21 years instead of 18 years. Done.

Wilson moved to suspend the rules, and it was done. The bill was read the third time and put on its final passage.

AYES: 7 Abney, Douglas, Herrick, Miller, Menefee, Sebree and Wilson.

NOES: 4 Holbrook, Sheeks, Strong, Speaker Curran.

ABSENT: Haas

The bill passed and the title was agreed to. Wilson, who had voted for the bill, moved for reconsideration, which under the rules was an option until voted down. Lost. That was it; done. The bill was passed and reconsideration was not a possibility.<sup>22</sup>

Baker filled almost the entire front page of the *Leader* with President Grant's speech to congress. But a wee item on the front page stated: "The Female Suffrage bill passed the House to-day. The vote stood as follows" and he accurately gave the tally. Baker had said only a few months earlier about the rationales for woman suffrage: "No sane man attaches the slightest political importance to such absurd claims." Singing a new tune, this day he said: "Ladies, prepare your ballots." Not one word on the debate, pro or con.<sup>23</sup>

On the same day, December 5, 1869, the House sent the Council word that they had passed several bills, including Council Bill 70 with an amendment changing the age to 21. Taking the bills in the sequence returned by the House, the council reached the suffrage bill and voted on the amendment. There were: 6 ayes, Laycock, Murrin, Poole, Wardman, Wilson, and President Bright. 3 noes: Rockwell, Whitehead, and Brady. The two original opponents to the suffrage bill, Rockwell and Whitehead, were joined by Fenian Brady,<sup>24</sup> who had voted for the suffrage bill originally. Either he favored the age of 18 years, or he had changed his mind about suffrage.

During the evening session, Wilson, with his penchant for exactness, reported to the Council that he had sent the bill to the governor at 8:20 p.m., December 6, 1869. Now the hot potato was in the governor's lap. It was not his only problem. The legislature was on many fronts giving the governor the full benefit of their opinion. Campbell's choices were three: sign, veto, or do nothing for five days, which would mean that either he acted before Saturday, December 11, or the bill became law on Saturday, December 11, without his signature.<sup>25</sup>

On December 7, 1869, the *Leader* was silent about woman suffrage. In the House, one opponent of suffrage, the Representative-at Large, Strong, was busy taking a confrontational position with the suffrage bill, by introducing legislation providing that "women who exercise the rights

22. *House Journal*, p. 207.

23. *Cheyenne Leader*, December 6, 1869; September 17, 1869.

24. *Council Journal*, p. 158.

25. *Council Journal*, p. 160; T. A. Larson, *History of Wyoming*, 2nd ed., (Lincoln: University of Nebraska Press, 1978), p. 76; Trenholm, ed., *Wyoming Blue Book*, vol. I, p. 79.

21. *House Journal*, pp. 198-199.

of the elective franchise shall perform all other duties of citizens." Duties were not specified, but chasing Indians as a militia-person and working on roads or juries would be possibilities. Douglas tried to stop Strong and called, under the rules, to reject the bill. But he failed by one vote 7 to 6, though the bill was eventually tabled.<sup>26</sup>

Three months earlier Baker had characterized the women's suffrage movement as "the reform against Nature." On December 8, 1869, Baker again sang a new song:

Wyoming the youngest of the Territories, has through the act of her legislature resolved on the experiment of female suffrage. The Council passed the bill, giving the right to women to vote and hold office, several days since, and on Monday afternoon the House, by a vote of seven to four concurred in its passage. All that now remains is for the Governor to sign the bill to cause it to become a law. This, although he has not yet done, we feel certain he will do. Although we have not yet been fully convinced of the wisdom or necessity for the measure, yet we have something of a curiosity to witness its practical operation and results, and we hope, as we believe that Governor Campbell will approve the bill.<sup>28</sup>

The hometown pioneer, Republican editor, was urging the Republican governor to sign the bill, in stark contrast to Baker's steady stance against suffrage. So, if later, it would be said that the governor was expected to veto the bill,<sup>29</sup> it must also be noted that the Republican, pioneer Cheyenne newspaperman had called for his endorsement, and conveyed to anyone interested his opinion that Campbell would sign it.

On December 10, the *Leader* carried notice that the legislature would adjourn on the evening of December 10, 1869. Further, a ball, put together by some Cheyenne citizens, would honor the governor and the legislators.<sup>30</sup>

During the evening session, on December 10, 1869, the governor notified the Council that he had signed the woman suffrage bill. So it was that a Democratic legislature and a Republican governor had allied on a bill establishing a new principle, which would extend throughout the world. The women of Wyoming, for whatever reason, now had the rights of electors, the right to vote and to hold office by statutory law: "this act shall take effect and be in force from and after its passage."<sup>31</sup>

26. *Cheyenne Leader*, December 7, 1869; *House Journal*, pp. 25, 213, 255.

27. *Cheyenne Leader*, September 17, 1869.

28. *Cheyenne Leader*, December 8, 1869.

29. Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joslyn Gage, *History of Woman Suffrage*, vol. 3 (New York: Arno & The New York Times, 1969), p. 730.

30. *Cheyenne Leader*, December 10, 1869.

31. *Council Journal*, p. 188; *General Laws of the Territory of Wyoming, 1869*, p. 371.

The next day, Saturday, December 11, 1869, the *Leader* reported the event:

Governor Campbell yesterday approved the Female Suffrage Bill, thus making it a law of the Territory. We now expect at once quite an immigration of ladies to Wyoming. We say to them all, come on. There is room for a great many here yet. When Wyoming gets tired of such additions to her population, we'll agree to let the outside world know of the fact. Won't the irrepressible 'Anna D.' come out here and make her home? We'll even give her more than the right to vote—she can run for Congress.<sup>32</sup>

Thus without any explanation of the reasons for the legislative or gubernatorial actions, the reality was acknowledged, women welcomed, a good-natured sounding of the refrain of advertise the territory, something Baker could always favor. The *Tribune's* exuberant report, sustained for a month, will be examined shortly.<sup>33</sup>

At the ball, an impromptu festivity for which invitations did not get out until about four in the afternoon, 60 couples celebrated. The ladies and gentlemen had gathered at Turner's Hall about 11 p.m.; the governor and legislators arrived around midnight. About one o'clock they went over to the Ford House for a late supper, and then danced into the wee hours.<sup>34</sup>

On Saturday, December 11, 1869, Campbell wired Judge Howe who was in Illinois to come to Cheyenne.<sup>35</sup> The governor moved at once to test several laws he felt overstepped the authority of the legislature. But there was no move to test the woman suffrage law by anyone, at least at this point.

The cheerful call to women to come to Wyoming Territory did not last long. Baker of the *Leader* lost his jovial tone on December 16, and having found his tongue, he made it plain he had several peevish, "Bungling and Blundering Legislation." Woman suffrage was one. The passage of the woman suffrage law had given all the nation's "strong-minded" a reason to offer thanks, wrote Baker. And it had caused well informed men to question the legislators' "probity, and knowledge of the 'science of government. . .'" Baker was frothing at what was actually his erroneous notion—that the men had to wait until age 21 while the women could vote at age 18. This had been the case until the House amended it, but was not the law. Baker clearly was not tuned into the inside

32. *Cheyenne Leader*, December 11, 1869.

33. *Wyoming Tribune*, December 11, 1869.

34. *Cheyenne Leader*, December 11, 1869; *Wyoming Tribune*, December 11, 1869.

35. "John A. Campbell, Diary, 1869-1875," *Annals of Wyoming* 10 (April 1938): 70.

track. He had one point straight: "Whether its action in this particular, [the woman suffrage law] will be productive of good, remains to be practicably tested. Women can by law, now hold office and vote in Wyoming."<sup>36</sup> It was a fait accompli, and in force, there and viable for testing in the actual political arena. Going from good natured calls for an immigration of ladies to grumbling at the lack of wisdom of changing the laws of government of all history, Baker nevertheless did not offer any explanation of the reasons for the passage, though he would get around to it and more than once. But whatever the motivation, he had made plain that the field for testing was established. The experiment had begun.

Outside Wyoming, the press gave brief attention to the Wyoming suffrage bill. On December 14, the *New York Herald* noted the passage of the bill and the governor's affirmation. On December 16, 1869, the *New York Times* noted the action of the Wyoming legislature and, a shade off accuracy, asserted that congressional approval was needed



Wyoming's first territorial governor, John A. Campbell, signed the suffrage bill on December 10, 1869.

for the law to be valid, urging Congress to prepare to join the issue. On December 16, 1869, the *New York Herald* also carried a report which said Susan B. Anthony had talked about Mrs. Stanton's stumping the West and making many converts, leaving open at least the idea that this was their victory. On December 16, 1869, *The Revolution* received notice of the event as the paper was going to press. Presumably because of this timing, they put it not on the front page, but toward the end. By December 30, *The Revolution* focused on Redelia Bates, giving attention for her part in setting the stage for the Wyoming suffrage act.<sup>37</sup>

The *Wyoming Tribune* celebrated the passage of the woman suffrage bill from its passage, throughout 1870, up to and through the 1870 election, which was the first election in which women participated. After that, the *Tribune* had charges to hurl. But in the beginning, the woman suffrage bill was reported as a Wyoming triumph.

The fourth issue of the new weekly *Tribune* came out on Saturday, December 11, 1869, the day after the governor had signed the bill. Blaring the event from the front page in all capitals and exclamation points, the *Tribune* left no doubt of its strong support. "WOMAN SUFFRAGE! LARGE MAJORITY IN BOTH HOUSES. BILL APPROVED BY THE GOVERNOR. WYOMING IN THE VAN! THE INFANT TERRITORY LEADS THE COLUMN! 'Out of the Mouths of POLITICAL Babes and Sucklings praise hath been Perfected.' ALL HONOR TO THE YOUNGEST TERRITORIAL SISTER!" Wyoming had chosen "... an advanced position on the question of human rights. . . ." And so the praise continued in exuberant rhetoric: "Forgetting heathenish prejudices, arising from race or sex, she invites them to stand with her upon 'the skirmish line of civilization,' the Genius of Liberty is on picket duty in Wyoming." The Wyoming word was "Human rights; equality before the law, . . ." "... a better national life—to a grander civilization!" "Pass on, to a condition where all mankind shall be politically regenerated, and stand upon an equal plane, as they will before the Throne of God!" The metaphor of war, coupled with images of freedom and redemption, was chosen to describe the new rights given to women. Like the *Leader*, the *Tribune* offered not a single word of explanation.<sup>38</sup>

The following week, the *Tribune* editorial of December 18, 1869, dealt with woman suffrage. The previous week, explained the editor, the bill had passed so close to press

36. *Cheyenne Leader*, December 16, 1869.

37. *New York Herald*, December 14, 16, 1869; *New York Times*, December 16, 1869; *The Revolution*, December 16, 30, 1869.

38. *Wyoming Tribune*, December 11, 1869.



—Governor Campbell yesterday approved the Female Suffrage Bill, thus making it a law of the Territory. We now expect at once quite an immigration of ladies to Wyoming. We say to them all, come on. There is room for a great many here yet. When Wyoming gets tired of such additions to her population, we'll agree to let the outside world know of the fact. Won't the irrepressible "Anna D." come out here and make her home? We'll even give her more than the right to vote—she can run for Congress!

The Cheyenne Daily Leader reported on December 11, 1869, Campbell's signing of the suffrage bill.

**WOMAN SUFFRAGE!**

LARGE MAJORITY IN BOTH HOUSES.

BILL APPROVED BY THE GOVERNOR.

**Wyoming in the Van!**

THE INFANT TERRITORY LEADS THE COLUMN!

"Out of the Mouths of POLITICAL Babes and Sucklings praise hath been Perfected."

**ALL HONOR TO THE YOUNGEST TERRITORIAL SISTER!**

Wyoming, from her rocky eyrie, sends greeting to the aged Sister States, and invites them to come up higher—even to that advanced position on the question of human rights which she seems disposed to occupy.

Edward M. Lee's newspaper, the Wyoming Tribune, also reported on December 11, 1869, the advent of suffrage in the Territory of Wyoming.

time that there was not adequate time for comment. What had been done was important: "That the policy of suffrage, without regard to race or sex, will ultimately be adopted by the entire nation may be regarded as no longer matter of doubt, and to Wyoming belongs the proud privilege of pioneership in this grand modern reform." Regretting the unanimously Democratic legislature, well, perhaps that could be forgiven, since good had come from it. (A parallel article rips the same legislators for their failures during the session.) "Let fogysim, prejudice and caste . . ." take their place ". . . among the *ghouls* of darkness and the dead past." What had happened in Wyoming, asserted the *Tribune*, was:

. . . we have inaugurated for the first time in history complete civil and political equality. And why should it not be so? We have virtually provided that for causes over which the person has not and never can have any control, and for those causes alone, that person shall not be debarred the privilege of a voice and a vote in governmental affairs. We are willing that suffrage should be limited for the general welfare, but are unwilling that the mere accident of sex, race, or color, and those alone or any of them, should operate as an impassible barrier to that inestimable privilege.

Race and sex were entwined in the analysis, as occurrences which ought not to bar citizenship and the use of the ballot for protection of self and property. Women would provide a "politically civilizing antidote," judged the *Tribune*, and asserted that women as a class were "morally superior" to the other class. It was, beyond this moral dimension, justice for women property owners, particularly the unmarried women and working class women, who needed the ballot to catch the attention of men whom they now voted into office to secure reforms in pay and working conditions—just as men had demanded the eight hour working day. Wyoming had ratified the practical doctrine as well as the theoretical doctrine. The same issue carried remarks of Uncle John Herrick to the House; he argued, said the *Tribune*, that taxation without representation was tyranny and that the civilizing influence of women was needed in the nation's government as well as in the home.<sup>39</sup> Unfortunately, the *House Journal*, like the *Council Journal*, did not record debates, but only procedure and votes.

Nor was that all about suffrage. Were there space, the *Tribune* declared, the paper could be filled with reactions to the Wyoming suffrage bill. Many praised the "pluck and progress" of Wyoming. Short shrift was given to unfavorable reactions: others, "who never see anything clearly, unless it was visible to their grandfathers," "try

39. *Wyoming Tribune*, December 18, 1869.

to laugh it down." "Taunts and jeers and gibes are harmless mouthfuls of spoken wind." Right is right, concluded the *Tribune*, and "to falter would be sin." None of the harsh gibes made the newspaper; what did get space was a letter of praise from an Ohioan, expressing exuberant joy: "the old world feels the impulse of a new springtime, and deep calleth unto deep, while mountain unto mountain calls Praise God, for we are free!" "

"Since the days of Luther nothing has occurred like this." Clearly the initial word that went out from Wyoming did not hint of a joke, as would later be said. Instead the response was joy, a celebration with Biblical images, a "political redemption," a momentous event.<sup>40</sup>

The Christmas Day issue of the *Tribune* published a flamboyant letter of congratulations from suffragist Train, and issued a merry word of support to Lizzie Boynton of Indiana, who wanted to run for Congress. Come on to Wyoming, where you'll get a certificate if you get the votes, urged the *Tribune*. Without a word of explanation, the *Tribune* asserted: "The law-makers have adopted your creed, and a bachelor governor has agreed thereunto. Wyoming is the place as Woman's Rights are here all the go." And so the paper owned by the suffragist Secretary of Wyoming who was aspiring to the slot of Territorial Delegate laid claim that Wyoming had adopted the suffragist creed. The same front page reported the names of the women, Mrs. and Miss Slaughter, and their excellent management of a social club, called Sociables. In a further show of attitude, the *Tribune* ran a kindly article noticing the untimely death, a suicide by poisoning, of a young prostitute named Duffie. Suggesting that some were more "sinned against than sinning," the *Tribune* lashed out at the "noble, chivalric, Christian man" who authored the ruin of such women, and decided a special place in hell was reserved for those villains.<sup>41</sup>

The Christmas, 1869, issue of the *Tribune* had still more to say about woman suffrage, though it had nothing to say about why it came about. The *Tribune* reprinted a press comment to the effect that the woman suffrage law was a way of advertising for a governess to enhance the governor's quarters. No, replied the *Tribune* in good humor, no such intention. The governor, reported the paper, had only the highest motives:

... to aid humanity in its rapid march to a grander and nobler state of existence. The world moves, and the Governor, a genuine Republican, is willing to contribute to the destruction of

every vestige of discrimination in sex, and between all conditions and races of men.<sup>42</sup>

There was still more perspective, all positive, in the same Christmas issue. The *Tribune* picked up the coverage of the woman suffrage law by several other papers, including the *Philadelphia Post*. The *Post* gave the text of the law, and asserted that Wyoming would profit from the increase in voters, which would hasten its admission as a state. The back pages contained two letters of thanks from women in the St. Louis and Missouri praising the legislature for their action. Another item in the same issue credited Iowa with the honor of awarding women the right to hold office, and recounted at length the election of a woman to the post of superintendent of schools.<sup>43</sup>

The New Year's Day issue of the *Wyoming Tribune* bulged with news, much of it about women—some serious, some light-hearted. In the latter category, the *Tribune* happily agreed that women could do the courting in Wyoming, yet bet that Wyoming men would relish courting a Vermont girl. In a more serious vein, the *Tribune* featured front page a congratulatory note from the Dayton, Ohio, *Woman's Advocate*, which proclaimed exuberant plaudits to the legislators: "All hail bright star of the West!! Your fame is immortal!!! Your glory fadeless." Counterpointing to the good news was a darker refrain; the number of women dying during the holiday season continued. Calling it the "Poisoning Mania," the *Tribune* reported that a Black woman, Mrs. Overshiner, who had had charge of the mess at the Everett House, had also committed suicide. During the week, reported the *Tribune*, another woman, not named, tried, but did not succeed.<sup>44</sup>

This same issue for New Year's Day, 1870, offered more woman suffrage news. The assessment of the *Pittsburg Dispatch* got full play and comment. The *Dispatch* first carefully defined the location of Wyoming Territory, noted that people were scarce, women especially, and judged that the reason for the legislation was that scarcity. "Here, then, we are to have an experiment which millions of eyes will watch most anxiously." If it worked well in Wyoming, then it would be tried elsewhere. If it worked poorly, then all the words of advocacy would not effect action against a poor result in Wyoming. In other words, the stakes were bigger than Wyoming. The *Tribune* was proud of the woman suffrage law, and acknowledged the favorable publicity generated—glossing over adverse reactions. The

40. *Wyoming Tribune*, December 18, 1869.

41. *Wyoming Tribune*, December 25, 1869.

42. *Wyoming Tribune*, December 25, 1869.

43. *Wyoming Tribune*, December 25, 1869.

44. *Wyoming Tribune*, January 1, 1870.

*Tribune* pointed out that much more could have been done. The bureau of immigration, which failed, was defeated, said the *Tribune*, because the legislature said the territory could not afford it. Had the legislators not raised their own pay, and funded the immigration bureau with that money, lots of folk could have been recruited to settle in Wyoming. Clearly focusing on a self-serving motive, the accusation that woman suffrage advertised the territory for free and the legislators would pocket the money otherwise spent on agents and statistics and publicity was soft but clear. The *Tribune* had another criticism: it fell short, as an immigration and advertising strategy: "Woman suffrage will bring energetic women, but we want men also."<sup>45</sup>

To this point, Bright has not had an iota of publicity for his work, except his name given as the one who introduced the bill. Likewise conspicuously missing are his reasons for favoring woman suffrage. Granting that it may be an artifact of the missing Cheyenne, Laramie, and South Pass newspapers, the fact is that neither the Republican *Leader* nor the *Tribune* has offered any focus on Bright. Without asserting or denying causality, two days after the *Tribune* asserted that Wyoming had ratified the suffragist creed, young Robert Morris wrote a letter to *The Revolution* to offer a personal sketch of the first "successful legislator" in the cause of woman suffrage.<sup>46</sup>

When Bright returned to South Pass, young Morris and his mother, Esther Morris, ". . . the only open advocates here of Woman's Suffrage, resolved ourselves into a committee and called on him to tender our congratulations and thanks for his services in our behalf as well as for all true lovers of Equal Rights." Bright ". . . expressed himself pleased that there were some persons here who endorsed his views on Woman Suffrage." If Morris is correct, that he and Mrs. Morris were the only open advocates in town, it suggests that Bright's move was not forecast in his home community. What were Bright's views that Mrs. Morris and Robert endorsed? As reported by Morris, Bright made plain what his views were not: "I have never thought much about it, nor have I been converted by a woman's lecture or newspaper, for I never heard a woman speak from the rostrum and never read THE REVOLUTION." In short, Bright was not a convert to the woman suffrage movement. What he favored was fuzzier: "I knew that it was a new issue, and a live one, and with

a strong feeling that it was just, I determined to use all influence in my power to have the bill passed." Young Morris' brief letter brought Bright some publicity, and the only attention he had received so far.<sup>47</sup>

On January 8, 1870, the *Tribune*, while taking notice of Anna Dickinson's home, featured the opinion of the paper's Washington correspondent. The woman suffrage law "is the best advertisement your Territory could put forth. . . ." The "boldness and novelty and popular advance in the movement, which invites discussion . . ." was better than "tens of thousands spent through agents for that purpose."<sup>48</sup>

On January 11, 1870, tragedy struck Cheyenne. On January 13, 1870, the *Cheyenne Daily Leader* reported that at 11:30 a.m., a defective flue in a liquor store had begun a fire; the fact that the first engine had not been fueled for an emergency and soon gave out, the water likewise, gave rise to a catastrophe. Baker, who once confessed to having Cheyenne on the brain, recorded its wounds, and his own: "The entire outfit of the office . . . was consumed in less time than one can write an account of it." Baker recorded the women's contribution: "delicate women" were seen "staggering under heavy loads." He also recorded men's agony: "men from whose faces every trace of color had fled, worked with frantic energy to save their hard earned accumulations from the merciless destroyer."<sup>49</sup>

The January 15 issue of the weekly *Tribune* also reported the Cheyenne fire: "This calamity will serve to teach the people . . ." the importance of fire insurance, fire-proof buildings and an adequate fire company. It also reported on the behavior of the women:

Men are expected to be heroic under such circumstances, therefore we cannot particularize, except with regard to the newly enfranchised sex. When delicate ladies, unaccustomed to life's rough experiences, are found equal to these trying occasions, and manifest by their efforts the greatest intrepidity, we think the fact should not be allowed to pass without notice.

Detailing the names of women who saved children from the flames, and who moved property out of the fire's path, the *Tribune* found them to be "deeds of charity and heroism," and "of holy instinct," "angelic sentiment," and leaped to a conclusion. "Let it no longer be said that the women of Wyoming are of the weaker sex."<sup>50</sup>

45. *Wyoming Tribune*, January 1, 1870.

46. *Wyoming Tribune*, November 27, 1869; *The Revolution*, January 13, 1870.

47. *The Revolution*, January 13, 1870.

48. *Wyoming Tribune*, January 8, 1870.

49. *Cheyenne Daily Leader*, January 13, 1870; *Cheyenne Leader*, December 5, 1867.

50. *Wyoming Tribune*, January 15, 1870.

Despite the fire, there was space to include in the *Tribune* Colorado Governor McCook's recommendation to pass a woman suffrage law, and another letter of thanks to the legislature and to the governor. The Woman's Suffrage Association of Cincinnati sent a poignant expression of appreciation for the woman suffrage law, with almost palpable thanks and hopes for a fair execution of the law, "we sincerely hope . . . will manfully abide by its progressive laws."<sup>51</sup> And so even in the midst of the upheaval created by the fire, the call for fair execution of the law was firmly featured. The *Tribune* seized on these events to elevate the new women voters of Wyoming from the weaker sex to the brave sex. Many of the women of Wyoming, as on all the pioneer trails and in earlier settlements, no doubt were brave. But never before had it been possible to use it as political fodder, a metamorphosis of sorts, and a call to arms to the women and announcement of the mettle of Wyoming women to Wyoming and to the outside world. The phase of the passage was ended and the stage for the execution and action was being set. And throughout it all, despite the rosy reporting, no explanation of why and how the law came to be was ever set in print in the *Tribune* in 1869 or before the fire.

Almost the same can be said for the *Leader*. Since Baker's grumbling over the passage of the woman suffrage and other laws, the *Leader*, like the *Tribune*, focused on the laws submitted to the judiciary and the results: the governor, not the legislature, would appoint county officials;<sup>52</sup> the pay raise the legislators voted themselves was stopped.<sup>53</sup> The *Leader* also occasionally noted a response outside Wyoming to the suffrage act. On January 4, 1870, the *Leader* focused on the way *Atchinson Patriot* humorously alludes to female suffrage in Wyoming: Emma Fields, [Mrs. Overshiner] "one of the newly made voters of Wyoming," committed suicide by morphine ingestion. Obviously woman suffrage was not enough for Emma Fields, though that poignant fact was obscured by the fact of humor at the idea that a woman, especially a woman like Emma Fields, should be a voter.<sup>54</sup> But the *Leader*, unlike the *Tribune*, did not keep a major focus on the reaction to the woman suffrage law, featuring instead such issues as the merits and mechanics of the Big Horn Mining Expedition.<sup>55</sup>

On January 7, 1870, the *Leader*, like the *Tribune*, noted that McCook favored the extension of suffrage to the women of Colorado, and predicted its adoption. What neither newspaper said was that McCook defined three stages in the adoption of new movements; ridicule, argument, and adoption. McCook, reported *The Revolution*,

gave short shrift to the Wyoming action: "It rests with you to say whether Colorado will accept this reform in its first stage, as our sister Territory of Wyoming has done. . . ." What Baker did give—the day after the governor signed the bill, was a jovial quasi-explanation alluding to territorial advertisement, a flood of ladies coming, light-hearted and incomplete. Then almost a month later, the *Leader* offered its second explanation (the first serious in tone) but by no means the last, of why the legislature passed the bill:

Our own legislature passed the bill giving women the right to vote, principally, we believe, because of the novelty of the thing, and partially because of the value of such a proceeding as directing the attention of the outside world to this Territory.<sup>57</sup>

Also on January 7, 1870, the *Leader*, noting that a bill to give the women of New Mexico the vote, called: "Bully for New Mexico." On the day preceding the Cheyenne fire, which destroyed the *Leader* office, Baker touched on two reports peripherally related to suffrage—the safety of women in the halls of congress and what Anna Dickinson said in Salt Lake City. But then, on Tuesday, January 11, 1870, the great fire in Cheyenne occurred and attention was turned to the pain of loss and the necessity of survival and rebuilding.<sup>58</sup>

It took the *Tribune* longer to discard the mantle of joyful equality. In October, 1870, just after the first election, despite all of its rhetoric at this point and through the election, the *Tribune* called the motivating spirit of the law a "joke." "Once, during the session, amid the greatest hilarity, and after the presentation of various funny amendments, and in full expectation of a gubernatorial veto, an act was passed."<sup>59</sup>

Clearly one of the most conspicuous features of the passage of the suffrage bill was the silence surrounding it. The legislative journals show only the procedural matters. The extant Wyoming newspapers reacted, but did not offer explanations for legislators' support and passage of the bill. The newspapers did not give Bright publicity either personally or philosophically.

51. *Wyoming Tribune*, January 16, 1870.

52. *Cheyenne Leader*, December 16, 1869.

53. *Cheyenne Leader*, December 22, 1869.

54. *Cheyenne Leader*, December 24, 1869.

55. *Cheyenne Leader*, January 4, 1870.

56. *Cheyenne Leader*, December 13, 15, 16, 17, 28, 31, 1869; January 2, 3, 6, 7, 10, 1870.

57. *Cheyenne Leader*, January 7, 1870; *The Revolution*, January 20, 1870; *Cheyenne Leader*, December 11, 1869; January 7, 1870.

58. *Cheyenne Leader*, January 7, 10, 13, 1870.

59. *Wyoming Tribune*, October 8, 1870.

## Part IV: Motives and Machinations

Why was the 1869 law passed, and passed in silence, without press attention to the reasons of the legislators pro and con? What motives operated, which were powerful enough to inspire men to discard the traditions of centuries, and experiment with a new concept and tradition of woman as citizen?

A few general issues of motive aid in understanding the plethora of explanations offered. This analysis reports preliminary findings of an open-ended gathering of facts designed to answer the question: why and how did the woman suffrage bill of 1869 become law? The myriad, diverse explanations for the passage of the suffrage act reflect the relative absence of adequate and timely information during its passage. Inside and outside Wyoming, reactions were as truthful as prejudices, pro and con, would allow. As time passed, and women served as justices of the peace, as jurors, and as candidates for office, the furor grew. Each new experiment prompted some re-counting of earlier events to further fuel or stifle the suffrage cause. Thus, the later the explanation, the more likely bias crept in, confusing events in the stage of experimentation with the motives for the original passage. Objective reports were few and far between, and the same individuals advanced different arguments on different occasions or weighted them differently. For instance, the same argument, territorial advertisement, was a joke to one and justice to another. The context, or audience, changed the balance: versions designed to woo an audience to the substance of woman suffrage often did not recount neutrally the mischievous mayhem of the opposition (if they mentioned opposition at all); versions designed to claim a spot for self, relative, or friend focused narrowly on such as would support the claim.

A key fact is that there were only twenty-one men in the first Wyoming territorial legislature, and many explanations.<sup>1</sup> Thus, the number of legislators was small and the number of explanations offered, throughout the years, many. It is key to an informed perspective not to confuse after-the-fact explanations of the arguments offered to legislators with the facts of how they did vote. One whole

series of motives offered is that, despite the passage, the votes were cast in anticipation that the other chamber or someone else, the governor, Congress, the president would stop it, or that it could be repealed. Repeal and modification were and are standard processes of legislation, and obviously a possibility. But the record clearly shows that the notion that one chamber was waiting on the other to pounce with the killing vote was simply a notion.

Though there were a variety of procedural votes, there were only three votes to vote yes, do pass this bill, or no, do not pass this bill: two in the Council, one in the House. The Council passed it, and the House passed it, though it amended the voting age to twenty-one years. This change in age required a second Council action, and had the Council been motivated by astonishment over the fact that the House passed it, it had the option of killing the measure then and there. It did not, and so the most that can be said for the serial astonishment arguments, is that it did not happen; it may have been argued that it would happen, but it did not.<sup>2</sup>

Further, when the House passed the bill and sent it back to the Council, that did not end the matter in the House. Opponents of the bill, who had tried and failed to stop it, continued to push legislation to restrict the exercise of the ballot by women.<sup>3</sup>

It is also important that six men were not swayed by any of the reasons offered: J.R. Whitehead, J.R. Rockwell, Ben Sheeks, S.M. Curran, J.C. Strong, and John Holbrook. Only one man, James Brady, voted both yes and no; in the Council, he voted yes to pass and no to the amendment raising the age, so either he had changed his mind or favored the younger age of eighteen years. Councilmen and lawyers Rockwell and Whitehead opposed the

1. Virginia Cole Trenholm, ed., *Wyoming Blue Book*, vol 1 (Cheyenne: Pioneer Printing and Stationery Company, 1974), pp. 151-152.
2. *Council Journal of the First Legislative Assembly of the Territory of Wyoming*, 1869, pp. 122, 158; *House Journal of the First Legislative Assembly, Territory of Wyoming*, 1869, p. 207.
3. *House Journal*, p. 213.

measure both times it came up in the Council. In the House, Sheeks and Strong kept up the anti-suffrage effort by proposing a bill to cause women who did exercise the right of the elective franchise to do "all other duties of citizens"; they were joined by suffrage opponents, Curran and Holbrook, and Haas, who being absent did not vote in the "pass, don't pass" vote. Menefee who had voted for the suffrage bill joined this effort also. The evidence from the record shows that the opposition was consistent and does not support the idea that everyone was anticipating an instant demise of the bill when it returned to the Council.<sup>4</sup>

General biases of perspectives can be identified in many of the accounts to be inspected shortly. One approach is to take the key explanations, selecting the accounts by people in Wyoming at the time of the passage or by those who were in Wyoming during the early experimentation phase, and see to what extent they agree or disagree. Two biases can be identified, distinct from prejudice for or against woman suffrage per se, which formed the perspective of many accounts. The political motif was present from the beginning; partisan statements, motivated by a desire to make one's party look good, lure votes, or capture support, were present in the beginning and all the way to and beyond statehood. Since this radical, for the times, legislation took place in the context of a Democratic legislature warring with a Republican governor and a Republican executive branch of federal appointees, many of the versions reflect that antagonistic attitude. It blends imperceptibly at times into the insider Wyoming attitude of looking askance at the foreign carpetbaggers versus the outsiders looking down their noses at the "rough and tumble" natives. Accounts by federal Republican appointees give little credit to the Democratic legislature for anything good; conversely, accounts by the homefolk rarely give the federal officials credit for anything good. At least two of the major chroniclers lost their positions due to the actions of the Wyoming people, and the possibility is apparent that their views were affected by an interest in revenge. So too the simple human motives of like and dislike inspired name-calling in the accounts. The human foibles of a faulty memory or difficult expressions of a memory are also encountered. No single statement about a complex event is entirely true, therefore, the context in which the statement is made is taken as a directing matrix of intent. All of these factors complicate the already complex story of a major change in the definitions and conduct of human affairs.

These new dimensions of human behavior did not emerge as finished portraits, smooth with rounded edges; rather they cracked and bent into shape.

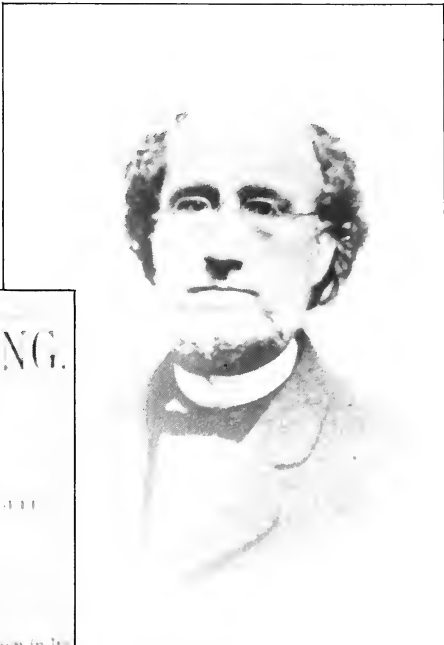
Before detailing the many reasons which have been advanced for the passage of the woman suffrage act, one simple fact should be reemphasized. Fourteen of the twenty-one legislators voted at one time or another for the passage of the suffrage bill. That was enough to make it law.

Four legislators are recorded as stating reasons for their votes: two for justice, one for territorial advertisement, and one to please someone else. For the other ten legislators, and probably for these four as well, it is likely that their votes resulted from a complex set of motives, not for a single reason. Except for basic drives, such as hunger and thirst, human actions generally involve complex mixtures of motivations. Thus, in analyzing the reasons for the suffrage act, the focus will be to identify motives and connections between the major reasons and search for a multiplicity of complex motives.<sup>5</sup>

Judge John W. Kingman, Associate Justice of Wyoming Territory in 1869, wrote three major accounts of the events in Wyoming. His earliest version, 1876, is a good place to start because it addresses the range of motives for passage and reactions to the passage of the law. Kingman's summary of the passage of the suffrage bill is regrettably short and the intent to persuade an audience, including people opposed to accepting woman suffrage, weights the account, apparently producing an accentuation of the good results of what Wyoming women had done with the ballot, and a softpedaling of negative aspects. Kingman, who was in the territory at the time of the passage of the suffrage bill and for many years afterward, addressed the Massachusetts legislature on January 18, 1876. The judge who hailed from New England and learned some of his law in Daniel Webster's law office put himself out to give an even version of reasons for the passage. His opening statement underscores that Wyoming adopted universal suffrage for "all adult inhabitants": "There is practically no limitation of the franchise for either men or women in our Territory." The sole requirements, continued Kingman, were short residency requirements and even from foreigners, a simple declaration of intent to be a citizen instantaneously made a man or woman eligible to vote or hold office. Then Kingman stated: "Some of the members urged it from [1] conviction, other voted for it thinking it would [2] attract

4. *Council Journal*, pp. 122, 158; *House Journal*, pp. 207, 213.

5. *The Revolution*, January 13, 1870; Letter from C. G. Coutant to Frank W. Mondell, May 22, 1903, Historical Research and Publications Division, Wyoming State Archives, Museums and Historical Department (AMH), Cheyenne.



# WOMAN SUFFRAGE IN WYOMING.

## SIX YEARS' PRACTICAL WORKINGS.

TESTIMONY DELIVERED JANUARY 18, 1876, BEFORE THE MASSACHUSETTS LEGISLATURE.

By Hon. JOHN W. KINGMAN.

Hon. JOHN W. KINGMAN, of Wyoming, for four years a Judge of the Supreme Court of that Territory, was recently invited by the Joint Special Committee of the Massachusetts Legislature on Woman Suffrage, to give an account of the history and practical working of Woman Suffrage in Wyoming. Judge Kingman testified substantially as follows:

Wyoming was organized as a Territory in May, 1890. It contained at that time about 15,000 inhabitants, who had been brought thither by the building of the Union Pacific Railroad; there were comparatively few women then; for some years afterwards the population decreased, owing to the incursions of the Indians, but has now reached about the same figure, and is rapidly increasing. The women are now in number, compared with the men, about in the ratio of nine women to ten men. The capital is Cheyenne, which casts about 1500 votes. Laramie City, in which I reside, is next in size and casts 1500 votes, all at one voting precinct. The population is mostly on the line of the railroad and in the mining camps in its vicinity. In August, 1869, the first Territorial Legislature extended Suffrage to all adult inhabitants.

There is practically no limitation of the franchise for either men or women in our Territory. The term of residence required is very brief, and the instant a foreigner declares his or her intention to become a citizen the right to vote and hold office is conceded. Woman Suffrage was inaugurated without much discussion, and without any

general movement of men or women in its favor. Some of the members urged it from conviction, others voted for it thinking it would attract attention to the Territory, others as a joke, and others in the expectation that the Governor would veto the measure. When the law was enacted it was viewed with indifference by some, with dislike by others, and with warm regard by many. At that day there were comparatively few women there, and few of them voted; at each election since, they have voted in larger numbers, and now nearly all go to the polls. At our last election a larger proportion of women voted than of men.

Our women do not, as yet, attend the caucuses in any considerable numbers. But they generally take an interest in the selection of candidates, and it is very common now, in considering the availability of an aspirant for office, to ask, "How does he stand with the ladies?" Frequently the men set aside certain applicants for office because their characters would not stand the criticism of women.

The women manifest a great deal of independence in their preference of candidates, and have frequently defeated bad nominations. They are becoming every year more and more interested in public affairs, they are less under the influence of private interest, friendship, and party feeling, and are less subject to the temptations which bias the political action of men.

The opposition to Woman Suffrage, at first, was pretty bitter. The measure was passed

John W. Kingman

John W. Kingman's testimony delivered before the Massachusetts legislature on January 18, 1876.

attention to the Territory, others as a [3] joke, and others in the expectation that the [4] governor would veto the measure." Kingman's 1885 account for the suffrage history confirmed these reasons, though he omitted the joke motif, and amplified "that the favorite argument, however, and by far the most effective was . . ." territorial advertisement. He also supplied one more. Bright had argued that the [5] Democrats would gain a political advantage by being more liberal than the governor; in short, it would help their party. His final account, written in 1897, when he was seventy-six years old, gave short shrift to all the legislators reasons and thus is exemplary of changing emphasis in versions: "This was done by that first Legislature, but with very little knowledge of what they were doing or care for its consequences. Some said it would make a noise and advertise the Territory, but the chief reason given for it was a report that the Governor was opposed to it and would veto the bill."<sup>6</sup>

Kingman's brevity about the details of the passage of the bill, common in all three of his major accounts, is a feature common to all the territorial officials with the exception of the Secretary of the Territory, Edward M. Lee, and speeches made by Joseph M. Carey. The few comments offered are exceptional for their brevity and the absence of reasons offered. Since these succinct accounts of these officials do not fall in any of the five categories offered by Kingman, even the "favorite argument" of territorial advertisement, they are summarized here.

Judge John H. Howe was typically succinct: "I had no agency in the enactment of the law in Wyoming conferring legal equality upon women." Judge William T. Jones took a narrow and politic stance in 1870; since he had been elected Delegate to Congress in part by the votes of women, he felt woman suffrage was a wise policy. Though he can be shown many years later to be an active suffragist, no comments by Marshal Church Howe on the Wyoming saga have been located. Many years after the passage, when he had become one of Wyoming's illustrious men, Judge Carey was the associate editor of a history of Wyoming. In stark contrast to other occasions when he gave

much about the history of the suffrage bill, Carey, in this history, was mute; shorter shrift to the origins of woman suffrage can hardly be imagined. Carey devoted one quarter of one sentence to the fact it occurred: "A territorial seal was adopted; the right of suffrage was extended to women; several territorial roads were ordered and new judicial districts were established." Nevertheless, Kingman did not lack company.<sup>7</sup>

#### TERRITORIAL ADVERTISEMENT

Territorial advertisement, whether a favorite argument or not, was an important one, and if it called to women in their most traditional roles, still it was not disingenuous. Joining Kingman in his opinion that territorial advertisement was a reason offered for supporting the suffrage bill is Lee, whose versions changed so radically over time that they require separate analysis. Each man had cause to have an ax to grind; both were removed from their posts by Wyoming men, and staunch suffragist Lee was repaid for his kindness by petitions signed by women calling for his removal. Governor John A. Campbell's blind, lawyer brother, Walter, was in Cheyenne at the time of the passage of the bill and he supported Kingman also: "It was thought by the managers of the scheme that the young Republican Governor might be embarrassed by being confronted with a measure of this kind in an early period of his administration, and however it might affect him, the novelty of the thing would make some fun and advertise the Territory."<sup>8</sup>

The editors of the *Laramie Weekly Sentinel* and the *Cheyenne Daily Leader* repeatedly said the same. In a speech in Denver, J. H. Hayford said "advertise our young territory and bring into notoriety abroad," and ". . . raise a breeze and bring their territory into notice," said the *Rocky Mountain News* reporting this speech.<sup>9</sup> The *Denver Tribune*, covering the same Hayford speech reported: "The idea was, that such a law, while it would be right, would serve as an advertisement for the Territory. . . ."<sup>10</sup> In his own

6. "Judge John W. Kingman, Woman Suffrage in Wyoming: Six Years Practical Workings, Testimony Delivered January 18, 1876, Before the Massachusetts Legislature," Historical Research and Publications Division, AMH; "John W. Kingman," in Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joselyn Gage, eds., *History of Woman Suffrage*, vol. 3 (New York: Arno and the New York Times, 1969), pp. 727-738; "Honorable John W. Kingman: Associate Justice of the Supreme Court, Wyoming Territory," *Annals of Wyoming* 14 (July 1942): 221-227.

7. Letter from J. H. Howe to Mrs. Myra Bradwell, April 4, 1870, in Stanton et al., eds., *History of Woman Suffrage*, vol. 3, pp. 683-685, 736-737; *Atlanta Constitution*, November 24, 1870; Joseph Maul Carey, ed., "State of Wyoming," in *The Province and the States*, Weston Arthur Goodspeed, ed. (Madison: Western Historical Association, 1904), p. 352.

8. Edward M. Lee, "The Woman Movement in Wyoming," *Galaxy* 13 (January-June 1872): 755; T. A. Larson, *History of Wyoming*, 2nd ed., rev. (Lincoln: University of Nebraska Press, 1978), pp. 121, 125; "John A. Campbell, Diary 1869-1875," *Annals of Wyoming* 10 (April 1938): 68; *Youngstown Evening Register and Tribune*, July 15, 1880.

9. *Rocky Mountain News*, January 15, 1876.

10. *Woman's Journal*, February 5, 1876.



paper, in response to a letter, Hayford said again, the motive was "a mere freak of the legislators, who thought it would immortalize them" and the latter got national publicity by its reprint in the *Woman's Journal*.<sup>11</sup> Hayford's comments are supported by Nathan Baker, though they differ in intent. Hayford was talking about the Wyoming experiment, promoting it to persuade others in Colorado to the value of woman suffrage. But Baker grudgingly acknowledged the argument, and some success of it, while trying to end the experiment.<sup>12</sup> Reverend D. J. Pierce said that woman suffrage was the product of two or three sages who sold it as a territorial advertisement. "Notoriety," said Pierce,<sup>13</sup> and the point is important; it was a slogan, a sales technique. Morton E. Post, Delegate to Congress echoed this: territorial advertisement,<sup>14</sup> as did Strong,<sup>15</sup> Henry Caly Waltz, who understood this to be the motive causing the governor to sign the bill,<sup>16</sup> Hamilton Willcox,<sup>17</sup> Horace Plunkett,<sup>18</sup> Carrie Chapman Catt, who implied that the justice of it was the advertisement,<sup>19</sup> and W. L. Kuykendall.<sup>20</sup>

Furthermore, there was local precedent. In the winter of 1868-1869, the Dakota legislature, which was at that time the governing body of Wyoming, and to which Wyoming sent a representative, discussed a bill to give women the vote and also to confer eligibility on them to hold office. C. D. Bradley of Wyoming was in the chair on December 23, 1868, when the suffrage bill was discussed, reported the *Union and Dakotian*. The newspaper acknowledged the notoriety that would accrue to Dakota, along with becoming the mecca for the strong-minded. When the bill was defeated, the newspaper reprinted several articles from other papers to show what an opportunity had been lost. "We should have been known wherever newspapers are read. . . ." There were three ways for this word to get around in Wyoming; from Bradley, from the Dakota

newspaper, and from the *Cheyenne Leader's* reports about the Dakota suffrage bill.<sup>21</sup>

As an explanation for the passage of woman suffrage, territorial advertisement falls short because it was a statement of the obvious. Nobody disputed the need for territorial advertisement. The newspapermen called for it, railroads paid lots of money to do it, twelve thousand dollars in the winter of 1869 and twenty thousand dollars in 1870, and it served as one rationale for more than one community issue or action. Women, as wives and daughters, were explicitly sought in the refrain of "attract settlers." While urging the needs for schools and churches to support, and implicitly attract, settlers, the *Leader* encouraged "Families . . . homes, with mothers and children in them, to restrain, and give tone to our social fabric." Urging family men to believe in Cheyenne's future and to bring their families, the *Leader* said: "all may aid in elevating the moral status of the city by the presence of wives and daughters here among us." The need to attract the right kind of settler led Baker to report the positive, and diminish the negative. Banishing prostitution and gambling was another item on the *Leader's* territorial advertisement agenda so people would come, "instead of avoiding it for its wickedness," as he thought was the case at that time. Even geography was a matter of territorial advertisement. It is time for the public to know that Cheyenne is not surrounded by a desert. We need capital and people with broad skills who can rough it, said the *Leader*, to combat hard times and tight money. All that is needed, the *Leader* had earlier counseled, is for a state or territory to be known.<sup>22</sup>

Shortly after the first legislature of Wyoming Territory had begun, the *Leader* made explicit the needs of the territory for settlers. We are pioneers in the midst of advanced civilization, wrote the *Leader*. If we want the intelligent and hard-working to come to Wyoming, wrote Baker, then we need good schools, newspapers, churches, and libraries. "If we would attract an orderly and law abiding population we must first demonstrate that we have laws and can maintain order." A letter to the editor of the *Wyoming*

11. *Woman's Journal*, February 24, 1883.

12. *Cheyenne Daily Leader*, March 12, 14, 1870.

13. *Woman's Journal*, October 3, 1874.

14. *Woman's Journal*, April 10, 1886.

15. *Woman's Journal*, March 23, 1872.

16. Typescript of *Western Christian Advocate*, January, 1872.

17. Hamilton Willcox, *Wyoming: The True Cause and Splendid Fruits of Woman Suffrage There* (New York: publisher not given, 1890), p. 14, American Heritage Center (AHC), University of Wyoming, Laramie.

18. Horace Plunkett, "The Working of Woman Suffrage in Wyoming," *Fortnightly Review* (May 1890): 5.

19. Carrie Chapman Catt and Nettie Rogers Shuler, *Woman Suffrage and Politics* (Seattle: University of Washington Press, 1969), p. 77.

20. W. L. Kuykendall, *Frontier Days* (J. M. and H. L. Kuykendall Publishers, 1917), p. 133.

21. Dale Gibson with Lee Gibson and Cameron Harvey, *Enos Stutsman, Attorney for the Frontier* (Canada: University of Manitoba Press, 1983), pp. 74-75; *The Union and Dakotian*, December 26, 1868; February 6, 1869; *Cheyenne Leader*, January 4, 1869.

22. Robert G. Athearn, *Union Pacific Country* (Lincoln: University of Nebraska Press, 1982), p. 156; *Cheyenne Leader*, October 24, 1867; February 15, 1868; April 27; September 14, 20, 28, 1869; Larson, *History of Wyoming*, p. 45.

*Tribune* called for the legislature to pass an adequate immigration law and send a commission to Europe; a parallel editorial called for money for two commissioners to recruit people to the territory, one in Europe and one to reside in New York. Campbell made the same call for immigrants, with some emphasis on Anglo-Saxon immigrants. The *Leader* had earlier reported that effective "bait" for the hungry of Europe to come west was the "bait of a home, plenty and passage to this country . . ." Shortly after the close of the legislature, the Washington correspondent of the suffragist *Tribune* wrote a reassuring letter that the woman suffrage law was "the best advertisement your Territory could put forth . . ." in favor of winning settlers, — better than thousands of dollars through commissioners.<sup>23</sup>

This solid evidence that territorial advertisement reflected a practical and fundamental need, which expressed itself in many dimensions and many issues, suggests the basis for its wide appeal as one reason for the passage of the suffrage act. It was as important and mundane as the explicit need for growing settlements, and men and women who labored, taught school, went to church, paid taxes, had babies and made the territory into a solid, stable community. To territorial America, it was as basic as the flag.

This appeal to the public good probably had a personal dimension, rooted in a man's longing for a wife, the need of a man for a woman. Retrospectively, the *Wyoming Tribune* made this precise point in 1871. One of the most demoralizing influences here has been the absence of women; the influx of brides from the east was remedying matters. On the occasion of the debate in California about the passage of a married woman's property act, one California bachelor stated his desire to marry someday. He argued that such a law was ". . . the very best provision to get us wives that we can introduce into the Constitution." The need for women in Wyoming came, not only in a merry call for women from bachelors, but in the ex-

pressions of pervasive and intense loneliness and longing of Waltz for his distant wife. One important aspect of territorial advertisement was inducement or reward to the man or woman who made the trek or took the risk. For instance, the Oregon donation law awarded land to those women and men who survived the long trail road. This trend can be identified as early as 1619 when a petition to the Virginia House of Burgesses asked for lots of land for women as well as men "because in a new plantation it is not known whether man or woman be the most necessary." The point is that the notion that the passage of the woman suffrage law as territorial advertisement was an appeal to the public good, the private good deriving from a prosperous community, and private feelings of luring women into the territory. This long trend raises an important point; the last major inducement to women was the right to vote and hold office. Its appeal was indirect, and such terms as "advertising dodge," "notoriety," "raise a breeze and call attention to the territory," accurately reflected that the focus was broader than woman suffrage. It contained a genuine call to women, who were needed; it also had, so far as advocacy for woman suffrage went, a darker side.<sup>24</sup>



Sarah Wallace Pease served on the first Wyoming grand jury which included women. The jury met in Laramie during March, 1870.

23. *Cheyenne Leader*, September 15; October 25, 1869; *Wyoming Tribune*, December 4, 1869; January 8, 1870; *Council Journal*, p. 15.

24. *Wyoming Tribune*, April 29, 1871; Kay Ellen Thurman, "The Married Women's Property Acts" (Master of Laws Thesis, University of Wisconsin, 1978), fn 25; *The Revolution*, January 13, 1870; H. G. Nickerson Scrapbook, Historical Research and Publications Division, AMH; Diary of Reverend Henry Caly Waltz, November 11, 13, 1871, B-W179-hc, AHC; Charles H. Carey, *General History of Oregon* (Portland, Oregon: Binfords & Mort, Publishers for the Peter Binford Foundation, 1971), p. 482; Julia Cherry Spruill, *Women's Life and Work in the Southern Colonies* (New York: W. W. Norton and Company, Inc., 1972), p. 9.

Baker of the *Leader* could stomach suffrage, sometimes, but when the experiment with lady jurors began in Laramie, he was ready to end the experiment. Bordering on apoplexy, Baker launched a vitriolic attack on the national suffragists for their foolish belief that the Wyoming woman suffrage bill was sincere. Baker said it was territorial advertisement, denigrating it in a variety of tones; it was a "shrewd advertising dodge," "cunning device to obtain . . . notoriety," "trick of those 'naughty, deceitful men.'" It had never occurred to Susan B. Anthony, the "great Untouched," in her "virgin dreams" that this was so; ". . . she thinks her hand is resting on the bible when it really lies upon a picture of a jackass." A showman recognized the value of a monstrosity, and the principle of the Wyoming inauguration of female voters was the same as Barnum and his "Feegee" mermaid; they were each a "monstrousity." It was a suffrage show: you paid your money and you took your choice. Two days later Baker followed this up with another virulent attack giving reasons why women were not fit as jurors, concluding about the woman's rights reforms, "the sooner it dies, (as die it must,) the earlier our people may congratulate themselves on having escaped. . . ." Baker's assault, in stark contrast to his earlier call to ladies to come on to Wyoming, attacked one reason offered for the passage of the suffrage act, territorial advertisement, as empty and illusory at precisely a point in time when it was clear that a neighboring town, Laramie, was seriously testing one aspect of the suffrage law, women jurors, and it was certain beyond question that the law was neither empty nor untested.<sup>25</sup>

The flexibility of the argument for territorial advertisement is clear: its self-serving and familiar refrain appealed to the people not yet enchanted with the idea of the justice theme of woman suffrage. It was, in brief, a unifying theme that lessened opposition. And, for passage of any woman suffrage bill, that was the first half of the battle.

It is important to tease out and establish the fundamental importance of territorial advertisement first, because that is the case, and second, because linked with other explanations for the passage of the bill, it superficially appears vacuous. One whole set of arguments to vote for woman suffrage boiled down to the sales pitch that nothing would come of it. Bright, said Kingman, got the bill approved by admitting that the governor would veto it, which meant nothing would come of it; Bright also argued that it would advertise the territory, which deflected notice from the revolutionary aspects to the fact everyone knew, which

was that the territory needed people, including women. These arguments offered an escape hatch from the impact of a vote to pass because nothing would come of it; the other chamber would kill it or the governor would veto it. Lee advanced this serial astonishment explanation as early as 1872; the Council thought the House would kill it; the House thought the governor would kill it and all were amazed when it became law. Admittedly an entertaining story, which was probably his purpose, it simply does not square with the record, as previously shown. After the governor did not veto the bill, rumors of yet other escape hatches took over: the president would remove the governor or the courts would kill it. In short, the escape hatch arguments meant somebody somewhere was going to keep the actuality of women at the polls from happening. Coupled with territorial advertisement, these arguments meant that whatever happened while the brakes were being applied by somebody, the territory got publicity. A dead letter law, or a joke are equivalencies.<sup>26</sup>

#### A JOKE

A joke, said Kingman was one motivation for the passage of the bill. Numerous persons stated that the suffrage bill was a joke as though the word standing alone was explanatory. Scrutiny of the various joke explanations reveals a range of rationales, a variety of tones, and more questions than answers. With the exception of the suggestion that the joke was causing the governor trouble, perhaps implicitly all the territorial officials, the person or persons who were the object of the joke are rarely specified. Was it a joke on the woman suffrage question? On the Blacks, Chinese? On the Republicans? On the women?

Several distinctions and generalizations are apparent. The parameters are often vague. Tones differ—bitter spite, fun, whimsey. Intention and context shed light on the assertion, like political fodder to get votes. Bright on one of the few occasions on which he addressed the matter said, basically, the record speaks for itself and gave it: to ask the obvious—how much more serious can you get than to pass the legislation? Nor was the assertion of a joke unique to Wyoming. A San Francisco paper charged the Nevada legislature with a joke, and a Nevada paper replied: "Not altogether a joke." Accurately or not, the charge of joke recalls the charges asserted against Senator

26. Kingman in Stanton et al., *History of Woman Suffrage*, vol. 3, pp. 3, 730; Lee, "The Woman Movement in Wyoming," *Galaxy* 13 (January-June 1872): 755-756; *Cheyenne State Leader*, July 24, 1917.

25. *Cheyenne Leader*, March 12, 14, 1870; December 11, 1869.

Cowan in Congress when he first proposed woman suffrage as an antidote to Black suffrage. A paraphrase obliterates the vagueness, and the differing tones and intentions. Here then are their words, excepting the motif of causing-the-governor trouble, which is a distinct and separate issue.<sup>27</sup>

Woman suffrage was passed to advertise the territory, and regarded as a joke said editor Hayford, an important distinction, telling how the people reacted, not addressing what motivated the legislature. Likewise, Hayford said many considered the bill "a mere joke, as something which would remain as a dead letter on our statutes." The Democrats said they passed it as a joke and it was "looked upon as a great joke," said Lee; and "some said it was a joke," echoed U.S. Attorney Carey. But was this what the Democrats who opposed suffrage said, or was it the Democratic legislators who passed it? Wyoming suffragist Esther H. Morris said, "... a bitter joke . . ." and passed "in a moment of spite." Campbell's brother wrote, to "make some fun." Kingman said "others [voted for it] as a joke" in his testimony, but nothing about a joke in his suffrage history or autobiography; H.G. Nickerson said Bright told him "passed in a jocular manner as an experiment." Sheeks said the House passed it as a joke, which, as shown earlier, does not square with the record; Mrs. Pease said to relieve boredom, a light and whimsical motive. Plunkett whose salacious version of what "tickled Western humour" requires separate attention, also said "a joke." Reverend Strong also reported that some judged the passage "intended as a joke." Secretary Lee, who strongly and repeatedly advanced the idea that the legislation was a joke, can be shown to have given different information to different audiences; having put it in print as early as 1870, in 1890 he came full circle, and if Willcox accurately reflected Lee's version, which footnote 54, page 14 of his pamphlet correcting historical errors seems to indicate, Lee recanted.<sup>28</sup>

### INTERLOCKING ARGUMENTS

Kingman noted that four reasons, advertising the territory, a joke, an expectation of a veto, and conviction, produced the passage of the woman suffrage bill, which legislated universal suffrage. Of these four, only territorial advertisement and, to a more limited extent, the hassle-the-governor rationale can be treated separately because each category is linked to the others.

One of the explanations offered by Kingman was in the expectation of a gubernatorial veto. There were three sets of reasons why the legislators and the governor were

embroiled in tension. First, the legislature was unanimously Democratic; the governor was Republican. Second, the legislators were all homefolk and homefolk generally felt misunderstood by the outsider federal appointees, carpetbaggers. Third, the legislature had tangled with the governor over a whole variety of issues—from what constituted a crime, whether Blacks and Whites could intermarry, who exercised the appointing authority in county appointments to which judge should sit in which district. There were many variations of the same idea: the suffrage bill was passed to curry votes for the Democratic party by adopting a liberal pose on woman suffrage and let the governor carry the heat for killing it. Or, to annoy or confound him, to confront the governor and watch him squirm; to embarrass him by forcing him to adopt a position which favored Black suffrage but not woman suffrage, likely not appealing to some women. It had been reported that Campbell would veto the measure, so the risk of actually having, as opposed to passing, the woman suffrage bill was, according to this version, nil. Also it had been reported that the governor would let the bill become law without signing it—a step short of bipartisan endorsement. The interrelationships between the issues are apparent.<sup>29</sup>

Even with the argument of conviction, there were differing shades of motives. Bright wanted women to vote if the Blacks voted. Newspaper editor Hayford said he had

27. W. H. Bright letter to *Cheyenne Daily Leader*, January 23, 1876; *Daily Territorial Enterprise*, March 3, 1869; Cowan, *Congressional Globe*, 2nd session, 39th Congress, 1866-1867, pp. 57, 59.
28. *Rocky Mountain News*, January 15, 1876; *Laramie Sentinel*, May 5, 1883; *Wyoming Tribune*, March 19; December 24, 1870; *Cheyenne State Leader*, July 24, 1917; *Woman's Journal*, March 9, 1872; *Youngstown Evening Register and Tribune*, July 15, 1880; Kingman, "Woman Suffrage in Wyoming," p. 1; Kingman as quoted in Stanton, et al., *History of Woman Suffrage*, vol. 3, pp. 729-730; Kingman, "Honorable John W. Kingman," pp. 224-225; H. G. Nickerson to the editor, *Wyoming State Journal*, February 14, 1919; Letter from Judge Sheeks to Grace R. Hebard, August 2, 1920, AHC; *Laramie Boomerang*, October 17, 1889; Plunkett, "Working," p. 5; *Woman's Journal*, March 23, 1872; *Wyoming Tribune*, October 8, 1870; Willcox, "Wyoming: The True Cause," pp. 11, 14, fn 54.
29. Larson, *History of Wyoming*, p. 74-76; W. W. Corlett, "The Founding of Cheyenne, 1884," pp. 23-24, MSS PM-7, copy provided by the Bancroft Library; "John A. Campbell, Diary," pp. 68-69; Kingman in Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 730; Justice E. A. Thomas, "Female Suffrage in Wyoming," *Potter's American Monthly* 18 (May 1882): 492-493; Letter from Mrs. Campbell to Grace R. Hebard, October 27, 1919, Hebard Collection, AHC; *Cheyenne State Leader*, July 24, 1917; *Youngstown Evening Register and Tribune*, July 15, 1880; *Omaha Weekly Herald*, December 15, 1869; Kingman, "Honorable John W. Kingman," p. 224.

never favored suffrage for the same reasons as Anthony. The *Tribune* advanced the notion that women were morally superior and would purify the corrupt politics. Further, it was economic protection. Racism, political advantage, conviction, and justice swirled in the same chambers.<sup>30</sup>

The complexity of each of these issues is best seen in the assessment of three explanations of the joke thesis, and then several others which fall into the general genre of universal suffrage. A search for corroboration of the joke idea, as advanced by Lee, the tickle of western humor explained by Plunkett, and the bitter spite motive asserted by Morris, each lead into entirely different aspects of the passage and experimentation phase and into the overall political matrix and individual motives. From it, however, comes a clearer picture of the intricate, labyrinthine interactions between issues, political machinations, and personal aspirations.

#### EDWARD M. LEE

Lee suffered a substantial setback to his ambitions during his brief stint in Wyoming. As owner of a newspaper, Lee covered the news and that included the woman suffrage story. His statements on the woman suffrage story changed throughout the years, both while he was in Wyoming and afterward. Whether his disappointments and ambitions colored his vision is important to consider. To do so requires going beyond the passage phase, and into the experiment phase and beyond to statehood to consider Lee's statements about suffrage in light of his personal experiences, success, and lack of success.

Lee was a complex person. He was politically ambitious, aspiring to the slot of Delegate to Congress. He positioned himself for favorable publicity by acquiring a press and putting his brother-in-law at its helm. He intended to fill the coffers of his newspaper with printing patronage which, as territorial secretary, he controlled. After smearing the character of the pioneer Republican, *Leader* editor Baker, who wanted the work, Lee reported that he was awarding the printing to a new Republican in town who would do it for "reasonable rates." But he did not disclose it was his brother-in-law or that he owned the paper or the fact that it was not yet publishing. This latter

maneuver inspired editor Baker of the *Leader* to publicize Lee's deceit and hurl invective at Lee. Baker's insults inspired the governor to feel sympathy for Lee when he wrote in his diary, "Leader abuses Lee." Baker hurled the first bricks on November 23, 1869, three days after Lee's newspaper, which did not yet show Lee's ownership on the masthead, appeared. Baker yelled that Lee had the "conduct of a drunkard and licentious libertine" and Baker called the new rival paper, the "Wyoming Abortion." Joined by yet another territorial officer who also had his eyes on the delegate slot, Baker used his post as a top Republican to hammer home the charges against Lee. Petitions, signed by men and women, charged Lee with drunkenness and publicly consorting with and paying the rent for a notorious prostitute, known as the Circassian Girl. The petitions asked for Lee's removal, and President U.S. Grant did appoint a successor on February 18, 1870, one day after Lee had appointed two women justices of the peace. Even though later petitions did support his position, Lee was not reinstated. Because Lee would claim later to be the chief strategic architect of women suffrage, this personal debacle, inspired by his own stiletto in the back of a pioneer, casts some doubt on his strategic effectiveness. It also gave him more than one ax to grind.<sup>31</sup>



Edward M. Lee served as Wyoming's first secretary and was an active proponent of woman suffrage.

30. Grace Raymond Hebard, "The First Woman Jury," *Journal of American History* VII (1913): 1296-1297; *Laramie Sentinel*, July 21, 1875; *Wyoming Tribune*, December 18, 1869.

31. "John A. Campbell, Diary," pp. 63, 69; *The Revolution*, March 3, 1870; Edward M. Lee to R. W. Taylor, October 26, 1869, E. M. Lee Letterpress Book, Archives and Records Management Division, AMH; *Cheyenne Leader*, November 23, 1869; Larson, *History of Wyoming*, pp. 120-123; Willcox, "Wyoming: The True Cause," p. 14.

Lee's comments on suffrage changed over time. His comments at the time of the passage of the bill were exuberant about the bill's passage. At the time of its passage in December, 1869, Republican Lee praised the suffrage bill, crediting the Democratic legislators for their action, saying some good could come from a political Nazareth. He stated, without elaboration, that the representatives had passed and the governor had signed the bill and trumpeted his own approval of woman suffrage. On February 9, 1870, Lee wrote to the suffragist paper, *The Revolution*, and claimed credit for suggesting, along with unnamed others, the passage of the suffrage bill. Presenting his suffragist credentials from Connecticut, where he had introduced a suffrage bill, he characterized the governor, who signed the suffrage bill, as a lukewarm advocate, if not actually opposed: he wrote that the governor initially had been "violently opposed" but "we," without crediting anyone else by name, had "ultimately induced" Campbell to sign it. On February 17, 1870, Lee appointed two women as justices of the peace, and, demonstrating a capacity to play loose with the truth, congratulated each on holding the first judicial position ever held by woman.<sup>32</sup>

On February 18, Grant sent the name of Lee's replacement to the Senate; the next day, Baker gloated over Lee's removal. Lee kept a solid suffragist stance during the experiments with women jurors in Laramie and women as justices of the peace. Commenting on the good results of the latter, he noted: "Woman suffrage by many, is looked upon as a great joke." His staunch and welcoming support of suffrage continued to the arrival of his replacement and afterwards, to the conventions preceding the first election in which women voted.<sup>33</sup>

Shortly before the first election, on August 11, 1870, the Democrats added insult to Lee's injury of removal, and Baker publicized it front page, as did Lee, on August 13, 1870. At the county Democratic convention, attended both by Democrats, thirty-seven men Baker said, and a few Republicans, fifteen to twenty men, Lee was invited to sit on stage. Reporting on the speeches, the usual party glorification, Lee noted that one speaker asserted "the ladies had failed to civilize politics . . ." since their presence at the Republican convention did not prevent "pandemonium." Lee, but not Baker, also reported that

the Democratic secretary had told him that he had "made vigorous efforts to secure the attendance of ladies, but without success." Despite the fact that the Democrats had passed the suffrage bill, the ladies chose the Republican convention, not the Democratic one.<sup>34</sup>

One rejection led to another. After the men selected as delegates to the Territorial Democratic Convention were announced, alternates were nominated. The *Tribune* did not print the names of the women or men, but headlined in smaller type: "Nomination of the demi-monde as alternates." A minority of Democrats had chosen four, if the *Leader's* list was correct, leading prostitutes in Cheyenne and, according to the *Tribune*, "a few male names." The *Leader* reported only one: Lee. The man who had been removed as secretary, charged with keeping company with a prostitute, registered his outrage: "To say that this was an outrage on public decency and common self-respect is to say only half the truth." Only Baker printed the list of women nominated as alternates; Baker identified L[otta] Maxwell as "formerly of Circassia," and he listed I. Hamilton, E. Cleveland, and I. North,<sup>35</sup> without identifying them as demi-monde, though old-timers of Cheyenne must have known. The *Leader* said: "The policy of healing all divisions in their party by calling women to their aid, was warmly applauded."

It is singularly unfortunate that no Democratic newspaper for this time exists, as relying on the word of one party about the actions of the other is fraught with peril, and this is compounded by the fact that Baker of the *Leader* and Lee of the *Tribune* were still at war with each other.<sup>36</sup> But, on the eve of the election, some unnamed Democrats and, according to Lee, a minority, had seized the opportunity to ridicule woman suffrage. It is not known whether any former legislators participated, though supporter T. D. Murrin and opponent Whitehead were present; the latter had been elected a delegate. The majority, reported Lee, "seemed shocked and disgusted." They also had ridiculed Lee, the women's effective advocate, in a very personal way by calling him less than a decent man, and

34. *Cheyenne Daily Leader*, August 12, 1870; *Wyoming Tribune*, August 13, 1870.

35. Cheyenne Police Dockets, Archives and Records Management Division, AMH (North, Hamilton, and Cleveland show up as fined).

36. The *Leader* identified Mrs. Howe as the first woman to vote in Cheyenne, September 6, 1870; the *Tribune*, September 17, 1870, identified Mrs. Swain of Laramie as the first voter, and charged Mrs. Howe with voting the Democratic ticket. Whether this was revenge for Mrs. Howe's signing a petition for Lee's removal is an open question.

32. *Wyoming Tribune*, December 18, 1869; *The Revolution*, March 3, 1870; Larson, *History of Wyoming*, p. 84.

33. *Cheyenne Daily Leader*, February 19, 1870; *Wyoming Tribune*, March 19, 1870.

linking his name publicly to known prostitutes, and to the woman with whom he was accused of consorting, which charge led to his removal. It was something of the same spirit seen in Nebraska in 1855, when General Larimer was presented with a petticoat.<sup>37</sup> A price has often been exacted by their male opponents from men who solidly support the cause of women. But this action must not be laid to the foot of the legislators, who passed the law, unless evidence should appear. It is also important to note that the Democrats were themselves deeply divided in the selection of candidates, and Murrin, who voted yes on woman suffrage in the Council, later ran as an Independent. He asked for votes of "Democrats and Conservative Republicans of every color (Chinamen excepted)" and his advertisement called to men, but not women: "Men of Wyoming; Your manhood. . . ."<sup>38</sup>

The election was only a few weeks away, and Lee had been publicly smeared, as had the women of Wyoming who had never before, like most of their earthly sisters, been to a precinct and cast a ballot. One message was clear: politics was not for ladies. With the election looming, it is important to recall that the first territorial election was a scene of civil disorder. Kingman reported it: ". . . mad follies, and frightful scenes of that drunken election." And, these antics involving the demi-monde could be inflammatory. The editor of the *Laramie Daily Sentinel*, Hayford, made no comments about affairs in Cheyenne. But on August 12, the same day the *Leader* was reporting Democratic nominations for alternates who were prostitutes, an action occurring during a deeply divided convention, Hayford broke a self-imposed silence to make a strong statement favoring woman suffrage. The privilege had been extended to women, he wrote, and it is "not our prerogative to dictate, or even to advise them, as to whether or not they shall exercise them." But he did point out that "Wyoming having volunteered to be the first to try the experiment, if, with the privilege extended to them, the women decline to avail themselves of it . . . it must and will be generally declared to be *practically* a failure." A few days later, Hayford alluded to political quarrels in Cheyenne, but gave no specifics. He would not be drawn into the fray. It is probably not a coincidence that one year later, Hayford publicly described Lee as lively as ever and one who had "learned how to take a joke." Lee kept a solid suffragist stance up to and through election day.<sup>39</sup>

Lee's advocacy for suffrage has been demonstrated. Did he have motives other than conviction, particularly self-serving ones? Pioneer lawyer W.W. Corlett described Lee as a political animal, whose major focus was political oratory, to the exclusion of other pursuits. Lee was a lecturer for the American Literary Bureau; his topic when he came to Wyoming was the Civil War. As a lecturer, he needed a political focus and hot, contemporary topics, especially one in which he played a part, were to his advantage. It is possible that he had more than one motive for publicizing his role in the woman suffrage experiment and getting himself firmly allied to the suffragists, advancing himself as the strong suffragist. When he did leave the territory in 1871, he gave as his reason the press of engagements with the Lyceum. The *Leader* noted in 1874, that Lee had made twenty-five speeches during the month of April.<sup>40</sup>

When election day rolled around women and men voted and elected Jones as Wyoming's one Delegate to Congress. So it was that in September, 1870, Lee, the former secretary of Wyoming, sat on the sidelines, watching a former Republican territorial colleague capture the slot he had wanted and made many exertions to achieve. He had been removed from the position of secretary by the requests of members of his own party. He had been incensed by the rough humor of men deeply embroiled in a political dispute who, in one of the typical functions of sexism, allying men in conflict in a laugh, came together, or some of them, in a laugh about women and the outsider, ex-secretary Lee.

Linking Lee to the demi-monde was testimony to the effectiveness of the job the Republicans had done: women had attended the Republican caucus and women were selected as candidates. The Republicans even chose at least two women who had Democratic connections. The Democrats tried, reported the *Tribune*, to get women to come to the county convention, but no Blacks and no women came. The party that had passed the most progressive legislation for women in the world, at that point in time, could not lure women to their caucus. It probably was not an accident that the convention made plain that not all voters would be ladies. For those who opposed women voting, this was a vehicle to ridicule woman suffrage and to discourage women from voting, rather to shame them into staying home, safe, refined, modest and

37. Larson, *History of Wyoming*, p. 121.

38. Stanton et al., *History of Woman Suffrage*, vol. 3, p. 729; *Cheyenne Daily Leader*, August 30, 31, 1870.

39. Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 729; *Laramie Daily Sentinel*, August 12, 17, 1870; August 17, 1871.

40. Corlett, "Founding of Cheyenne," p. 24; Notice from Office of the American Literary Bureau, November, 1868, Record Group 59. Microfilm, #968, #34, National Archives; *Wyoming Tribune*, February 4, 1871; *Cheyenne Daily Leader*, May 13, 1874.

distant from prostitutes—a voluntary non-voter. As Hayford grasped, if the women who had the franchise did not vote, the experiment was dead. Although there were more voting for woman suffrage than against in the legislature, that did not mean, in a territory of 8,014 people, there was no opposition. Opposition to woman suffrage had made itself known and the Republicans made it conspicuous.<sup>41</sup>

On election day, September 6, 1870, three days after Lee placed his name openly on the *Tribune's* masthead, the *Leader* reported "the ladies of all classes seem to favor the Republican nominees." The *Leader* also commented that "many ladies" had voted "without molestation or interference." The *Tribune* ran the law stating what would happen to anyone who interfered with the right of a qualified voter to vote, and inviting anyone with knowledge of violations to report them to Carey, U.S. Attorney. Campbell wrote in his diary: "Result uncertain," but the next day, he exulted: "Glorious news. Election of Jones." All Republican newspapermen signaled their contentment. Hayford reported ninety-three ladies voted, and sixty-four for Republicans. He credited women with the Republican victory and four to five hundred votes, not directly by women voting, but because, for a change, there was order at the polls and men who stayed away from drunken shoot-em-ups came to vote. "[W]e feel just now disposed to forgive them [the Democratic legislators] for what mischief they did in consideration of their passing the Female Suffrage Bill." Both the *Leader* and the *Wyoming Tribune* used the same headline: "WYOMING REDEEMED."<sup>42</sup>

"Carping fogies have alleged that women would be contaminated at the polls and ought not to mix with the common herd, but at our recent election whenever a woman no matter what her race, color or condition might be, was seen approaching with a ballot in her hand," men stood back, opening a pathway to the ballot box. In the same issue, the *Tribune* invited the women of Wyoming to take notice of a letter to the editor, passing along the rumor that the Democrats might appeal the election results because "women voted the Republican ticket." This same letter asserted that they passed the woman suffrage law as a "joke, thinking that the Governor would veto it." But,

wrote the letter writer, he did not, and then, clearly distorting the facts to partisan advantage, asserted that members of the legislature got drunk and tried to make women do road work, military duty. It was entertaining advocacy, but wrong on the facts. The effort to make women voters do these things began in the House on December 7, the day after the suffrage bill passed the House in spite of opponents' efforts to block it, and before the governor had signed it.<sup>43</sup>

With the election safely behind, Lee talked about the code of laws made by the first legislature. If widely selling the law book, which first contained a woman suffrage law had been Lee's intention, he missed the mark, since he conceded that the sales had been exceedingly limited and he was reducing the cost. Lee spoke nicely about the legislators, characterizing them as "industrious, that they meant to serve the best interests of Wyoming, that they were a hearty, good-feeling set of fellows." But he had no use for what they did, and put into print his version of a joke backfiring. "Once, during the session, amid the greatest hilarity, and after the presentation of various funny amendments, and in full expectation of a gubernatorial veto, an act was passed Enfranchising the Women of Wyoming. . . . How strange that a movement destined to purify the muddy pool of politics . . . should have originated in a joke."<sup>44</sup> And by putting it in print, Lee cast the stone, informing or misinforming, as the case proves, a large number of people, in and out of Wyoming; and the ripples would follow Wyoming all the way to statehood and beyond.

This joke had a victim; the governor, who was expected to veto. But, now, there was another joke, and a second victim. The Democrats had lost to a Republican because of the women's vote. The Democrats, headlined the *Tribune*, "Buildd Wisser than They Knew." And so, at the expense of the women, Lee threw darts at the Democrats who passed the law. A wiser friend of women's rights might have recognized that to attribute the defeat of what was without question the stronger party in the territory was to invite just what occurred: an effort to repeal. Hayford, in fact, reported a "rumor" of a repeal sentiment among Democrats two days after the election. Hayford also gave women credit for the Republican victory. Both Republicans gave fodder to the antisuffragist camp since they could say it was a "joke or mischief." Possibly the Republicans had to show that woman suffrage was a sound

41. *Wyoming Tribune*, August 6, 13, 27; September 3; December 24, 1870; 1869 Census of Wyoming Territory.

42. *Cheyenne Daily Leader*, September 6, 7, 8, 1870; *Wyoming Tribune*, September 3, 10, 1870; "John A. Campbell, Diary," p. 121; *Laramie Daily Sentinel*, September 7, 1870.

43. *Wyoming Tribune*, September 17, 1870; *House Journal*, p. 213.

44. *Wyoming Tribune*, October 8, 1870.



political idea for Republicans, vindicating Campbell's signature, and entangling Jones in loyalty to and support of the women's right to vote since women had helped elect him.<sup>45</sup>

*The Revolution* noted that in Kansas, the Democrats had taken the position that since the Fifteenth Amendment gave all men, not respecting race and color, the right to vote that it was time for woman suffrage. The editors sourly gave some advice to the women of Wyoming, suggesting that they "read, mark, learn and inwardly digest." Lee waffled a defense of Wyoming women, a back-handed defense, and recounted the litany of the passage. "It has been said that the Legislature last winter, passed the female suffrage bill as a joke, or as an advertisement of the territory, thinking that there could be no question but that the next Legislature would repeal it." But the ladies liked it and it would get a fair trial.<sup>46</sup>

On Christmas Eve, the *Tribune* applauded the appointment of a Democratic woman to a post, and pointed out she had run on the Republican ticket and lost. It was, charged the *Tribune*, an effort to win votes in the upcoming city elections." But, said the *Tribune*, repeating the litany,

When the ladies remember, however, that leading Democrats, those who passed the bill, have repeatedly said that it was done as a joke, as an advertising dodge, that it was supposed the Governor would interpose his veto, and that if he did not that there would be an opportunity to repeal it before women would have a chance to vote, and now expect to repeal it at the next session of the Legislature if they should have a majority, we fear the move will not be a great success.<sup>47</sup>

The joke passage is here used as anti-Democratic, political fodder and inducement for the ladies to vote Republican.

However, Lee had other versions of the passage and he was not so nice to the Wyoming legislators outside Wyoming. In *Galaxy*, he gave them short shrift: "The first Legislature, composed of elements common in border communities. . . ." The reason suffrage was conferred was ". . . solely for advertising purposes." The Council thought the House would disagree, continued Lee, but they concurred in anticipation of the governor's veto. He told essentially the same story in Indianapolis, and it is a good story indeed, probably playing to the audience. But it still does not square with the legislative record. Some members of the House continued to try to restrict the right of suffrage after it had gone back to the Council for the

approval of the House amendment which raised the age to twenty-one. The Council reaffirmed the amendment and sent it to the governor. It is possible that arguments such as these were used, but the concerted action of the bodies is clear. In the *Galaxy* article, Lee did not even mention Governor Campbell by name, saying only: "The bill, however, was finally approved." Lee takes the spotlight with his appointment of Esther Morris; he did not mention Caroline Neil, his other simultaneous appointment as first woman justice of the peace. In his speech in Indianapolis, Lee gave a new twist: the governor, said Lee, "punished" the legislators by signing the bill.<sup>48</sup>

Just shy of two decades later, Lee had a new version. The joke was justice after all. A young suffragist, Willcox, wrote a pamphlet, partially titled, *Wyoming: The True Cause and Splendid Fruits of Woman Suffrage There . . .* and one which purported to correct the errors of most historians who had written about Wyoming. Once again Lee was the star, and a footnote stated that Lee agreed with Willcox. This version has Lee snookering a reluctant Bright into introducing the bill and telling Bright to tend the bill in the Council and Lee would take care of it in the House.

Knowing his men, Mr. Lee did not waste breath in arguing on justice or public weal. He told each member of both houses that the law could do no harm, and would be a gigantic advertisement for the Territory, lifting it at once out of obscurity, and asked their votes as a favor to himself. Some of the few women then in the region supported it on higher grounds, but these arguments had no weight with men like the majority of the Legislature. Mr. Lee worked hard, and his reasons and influence prevailed.

Referring to another person (whose version is discussed below) who had judged ". . . woman's freedom in Wyoming 'a joke,' 'a political windfall!' when the truth is," Willcox asserted, "'— as will be shown — no political legislation was ever more designedly achieved or maintained." So in this version, Lee was the strategic mastermind, luring the Wyoming ruffians into a vote and all the arguments he attributed to the Democrats were his. There was no joke, there was justice, according to Willcox' report of Lee's assertions.<sup>49</sup>

The context of this assertion is important. It followed the entrance of Wyoming into the Union as the sole woman suffrage state, and as the suffrage struggle continued throughout the country, the spotlight again turned to Wyoming. A joke, a political windfall, detracted from the

45. *Wyoming Tribune*, October 8, 1870; *Laramie Daily Sentinel*, September 8, 1870.

46. *The Revolution*, October 13, 1870; *Wyoming Tribune*, October 29, 1870.

47. *Wyoming Tribune*, December 24, 1870.

48. Lee, "The Woman Movement in Wyoming," pp. 755-756; *House Journal*, p. 213; *Council Journal*, p. 158; *Indianapolis Daily Sentinel*, November 16, 1871.

49. Willcox, "Wyoming: The True Cause," pp. 11, 14.

arguments of justice. This version put it back in the serious category, at the expense of the men who passed it. But Lee's claim to popularity in the House cannot be documented. Shortly after he had supplied a committee room for the House, a resolution of thanks to Mr. Lee was voted down and a motion to reconsider lost. The House would not even thank him for anything on November 9, 1869, even before the suffrage bill was introduced by Bright. Kuykendall said Lee "undertook to organize the house but failed." Nor does it square with the only known recorded reasons why individual legislators voted as they did. "One man told me that he thought it right and just to give women the right to vote. Another man said he thought it would be a good advertisement for the territory, still another said that he voted to please somebody else, and so on." Three reasons: one justice, one to please someone else, and territorial advertisement. Kingman also took pains to give Lee due credit, but to set limits to what he was due. Kingman credited Lee with being a genuine advocate of woman suffrage, who worked for the passage of the bill, and was glad to appoint a woman. But, said Kingman pointedly, Morris' appointment was suggested by her neighbors, who sustained her manfully. Couple this with the fact that Lee was bounced from his post as secretary, and his claims, or Willcox' claims for him, again entertain, but fall short on facts.<sup>50</sup>

Neither Willcox nor Lee can credit himself with originating territorial advertisement as an argument for suffrage. He may have joined the vast numbers who already knew of this—1868 Dakota legislature and all the various newspapermen who wrote about it. Willcox' version of Wyoming history was, nevertheless, good fodder to refute the notion that Lee himself had put in ink and publicized, that it was a joke, not a serious matter. It was not the first time the joke motive had come back to haunt the suffrage movement. Such was asserted in the Constitutional Convention of Wyoming and offered as a rationale for submitting the female suffrage law as a separate provision for the vote of the people. Twenty-one years had not settled the matter for some. Challenging the old-timers to refute this story, if myth it be, the proposer sat. After a time, old-timer and pioneer M. C. Brown rose and said no; maybe some had voted as a joke, he could not say. The "rumor" was not well founded. Bright was serious and Morris had given him a bill to present, and it was passed seriously. It was

no joke concluded Brown in response to the challenge, and no counterargument was advanced.<sup>51</sup> Nevertheless, the wedge that gave the opportunity was the idea that the original bill was a joke.

Was woman suffrage a collective joke, or looked upon as a joke, or sold as a joke, or a partisan ploy, or simply a post hoc attack on the legislation? Other versions help with the answers, but true or not, the joke idea had its finer moments.

Particularly in the beginning in 1869 and in 1870, calling the woman suffrage bill a joke also had another effect, which was to defuse serious opposition. One might oppose a cause, but why waste time arguing with a joke? The very argument that retarded taking the issue seriously also had the effect of deflecting the threat and opponents. On April 29, 1870, in Congress, a bill to repeal certain acts of the 1869 Wyoming legislature, was discussed. Mr. Trumbull wanted to know what acts were in question. So did Mr. Pomeroy. "Do they relate to voting out there?" Mr. Ramsey: "I imagine they relate to female suffrage [Laughter]." And with a laugh enough to make the record, the Congress of the United States passed on to dissect and repeal parts of the bill passed by the Wyoming legislature that pertained to the railroad. Congress, which could have, did not do anything to the suffrage bill; they knew about it, chuckled and passed on to serious business.<sup>52</sup>

#### SIR HORACE PLUNKETT VERSION: A JOKE AND A POLITICAL WINDFALL

Plunkett was the author of the version that holds that the Wyoming bill was "a political windfall," "a joke." Stating that he could not locate the legislator who introduced the bill, Plunkett advanced the general understanding: "It is generally supposed that he [Bright] was inspired by a lady of advanced views . . ." which clearly implied he was not. Plunkett got his information from the legislators he had met, number unspecified; but, as only four remained in the territory in 1880, it could not have been from many. Lawyer Whitehead, present at the demi-monde demonstration and a first territorial legislator, was still in Cheyenne in 1890, and is a prime candidate as one Plunkett informant. Those few Plunkett met "fail to recall any discussion whatever on the general principles of the question. The commonest belief is that the whole thing was a joke," reported Plunkett, and told what it was:

50. *House Journal*, p. 68; Kuykendall, *Frontier Days*, p. 132; Letter from C. G. Coutant to Frank W. Mondell, May 22, 1903, AMH; Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 731; Larson, *History of Wyoming*, pp. 122-123.

51. See Part II, "Anticipatory"; *Journals and Debates of the Constitutional Convention of the State of Wyoming* (Cheyenne: The Daily Sun, Book and Job Printing, 1893), pp. 346, 352.

52. *Congressional Globe*, 2nd sess., 41st Congress, 1869-1870, p. 3087.

. . . there was something that tickled Western humour and harmonised with the characteristic spirit of adventure in the idea of giving the women a vote. For few of the pioneers had brought their families with them, and it may well be imagined that the ladies who came out with the gamblers and saloon-keepers to seek their fortunes belonged, among the social strata, to a pretty hard formation.<sup>53</sup>

The foray of demi-monde alternates, a political offense when women were going to the Republican caucus and running as candidates, has been transformed, despite the general understanding, into a reason for passage. Even as the bill to allow Wyoming to be admitted into the Union waited for Senate action, Carey, lobbying for the bill, assured his audience: "When the legislators of twenty years ago have joined the majority, some history-maker will record the passing of this statute as the triumph of a great principle." To Plunkett's mind, it was no such triumph; it had turned out not well, but such as not to lead to "repentance." He was insistent. In his closing he said: "This much is certain. Never was a political experiment tried under less auspicious circumstances." The end was better than the beginning: "Yet not one of the predicted evils, and they were many, have marred its history." Without question, in the process of testing the experiment, the nomination of demi-monde as alternates was an event—a complex, but basically ridiculing offense. It was the last, but not the first, offensive salvo against woman suffrage—though it may have been as much intended for Lee as for the women. There is no evidence that the bill was passed deliberately to include a "hard formation" of women. However, the language of the bill clearly included all women: "every woman." In other words, universal suffrage was universal suffrage; less than noble men and less than noble women were voters and that was the precise point. When woman suffrage finally came, it profited from the march of Jacksonian democracy the men had made. The evidence clearly shows that the inclusion of the demi-monde was a part of the barrage to slow women from par-

ticipation in suffrage. To include it as a specific reason for passage awaits further data. This is an important distinction; if it had been a reason, publicly known, the entire experimentation phase would take on a new dimension, and require a different analysis.<sup>54</sup>

Plunkett did include, however, the familiar argument, "and the only one which had any force, was that the passing of the Bill would be a famous advertisement for the Territory." He gave the Wyoming legislators short shrift: "freaks of politicians." He gave the women equally short shrift. He credited the judges as the instigators of the jury experiment because of the "apathy of the fair sex as to their newly-gained honours . . ." who apparently should have rushed out and voted even when there was not an election. Plunkett judged: "But from general observation and innumerable conversations, it was impossible to avoid the conclusion that the great obstacle to the adoption of woman suffrage in Wyoming [had it not been a political windfall], would have been the apathy of the great majority of the women themselves." His paper, unfortunately, did not report separately the data from the poll he conducted, so that, if present, it is not quantified or quantifiable. Regrettably, the questionnaires, if extant, are not to be found now in the Plunkett papers.<sup>55</sup>

Plunkett came to Wyoming in October, 1879, and by 1881 was a member of the Wyoming Stock Growers Association. After ten years in the territory, while the approval of the state constitution was pending, he became interested in how woman suffrage in Wyoming worked, and did not feel he had made adequate observations in that

53. Plunkett, "The Working of Woman Suffrage," pp. 5, 13; T. A. Larson, "Emancipating the West's Dolls, Vassals and Hopeless Drudges: The Origins of Woman Suffrage in the West," in *Essays in Western History in Honor of T. A. Larson*, ed. Roger Daniels, vol. XXXVII, nos. 1, 2, 3, 4 (Laramie: University of Wyoming Publications, 1971), p. 8; *Wyoming Tribune*, August 13, 1870; *Cheyenne Daily Sun*, May 6, 1890.

54. *Cheyenne Daily Sun*, May 3, 1890; Plunkett, "The Working of Woman Suffrage," pp. 6, 16; *General Laws, 1869*, p. 371; Kirk H. Porter, *A History of Suffrage in the United States* (Westport: Greenwood Press, Publishers, 1977), pp. 137-138.

55. Plunkett, "The Working of Woman Suffrage," pp. 5, 6, 10, 13; Telex, November 29, 1989, Plunkett Foundation for Cooperative Studies.

#### THE WORKING OF WOMAN SUFFRAGE IN WYOMING.

THAT an English-speaking community has recently, after a trial of twenty years, decided to retain women in a position of absolute equality with men, both legal and political, is a fact which cannot fail to have a more or less important bearing on one of the ripening questions of the day. It is stated, I know, that the experiment in Wyoming has been tried under conditions which bear little or no analogy to the circumstances of older Commonwealths. Still, I think, it may be shown to have been coincident with a political development in which the broad facts of human nature, so confidently appealed to by either side in the woman question, have had ample room for action. Be this as it may, the interesting fact remains, that the first complete legislative emancipation of woman in the history of the world belongs to the territory of Wyoming, and to the year of grace 1869. A comparatively long and intimate acquaintance with men and things in the Territory of Wyoming enables the present writer to submit a truthful, if not a very readable account of how the battle of the women was fought and won, and how for twenty years the victory has been used by them. It will be necessary to take a brief survey of the history and circumstances of the territory in order to understand its political life.

Sir Horace Plunkett's version of the passage of woman suffrage by Wyoming's first assembly was titled "The Working of Woman Suffrage in Wyoming."

time to know. He conducted a poll, which received the support of people in Cheyenne and Laramie, though most were perplexed by his apparent need to study what was already settled. Just how poorly he understood the situation in Wyoming when he collected data and wrote about it is exemplified by his letter to the *Leader* in early November, 1889. He was interested in fiscal issues, his pocketbook, and had no political aspirations. It would have been better, said Plunkett, if they had submitted the woman suffrage provision of the constitution to the people separately. All agreed, said Plunkett, that the ladies had not abused the privilege. If Congress should balk at woman suffrage, which he did not think it would, he was "... convinced the ladies will voluntarily retire, rather than allow us to groan under the burden of a system so hopelessly false."<sup>56</sup>

His article about the Wyoming woman as citizen experience came out in May, 1890. The review in the *Sun* edited broadly, omitting the hard formation theory, killed him with kindness, and added editorial subtitles which did not entirely square with Plunkett's assertions. The *Leader* challenged only one point directly, calling it a "gross libel upon the women of Wyoming." Plunkett was wrong that women had made political bargains with the "unfortunate class." Plunkett responded with a letter and tried to explain himself, backpedaling vigorously. The *Leader* graciously accepted: "It is gratifying to learn that the meaning Mr. Plunkett intended to convey by the sentences in question is not what an interpretation of the words themselves would suggest." Though Plunkett grew to a creditable and informed suffragist, the content and timing of his paper alone, and the charge in his *Fortnightly Review* article, "the fact is the experiment was not fairly tried," proclaimed what he had the gumption to announce in his letter: "When I entered upon the task, my own views were decidedly opposed to woman suffrage." He had, he said, been generously assisted by the leading citizens, men and women of the territory, and he had felt honor bound to deal impartially with the facts. He was pleased, he said, that the facts warranted a "high appreciation of the value of women in politics and hopefulness as to the further development of their influence in the political sphere." Aside from the frank concession of his opposition, which

Invocation	Rev. J. Y. Cowhick.
Music	Band.
Oration, "A New Statute"	Mrs. Therese A. Jenkins.
Presentation of the State Flag	Mrs. Esther Morris.
Response	Gov. F. E. Warren.
Music, "The Star Spangled Banner"	Miss Nellie Dwyer, Vocalist.
Poem, "A True Republic"	Mrs. I. S. Bartlett.
Presentation of the Constitution	Hon. M. C. Brown.
Response	Mrs. Amalia B. Post.
Music	"Anvil Chorus."
Invocation	Rev. F. J. Nugent.

*Those who participated in the official statehood celebration in Cheyenne on New July 23, 1890, heard Therese A. Jenkins' speech, "A New Statute," about woman suffrage, and witnessed Esther Hobart Morris present the state flag to Governor Francis E. Warren.*

shaped what he did, the most instructive aspect of this opinion is a window into the processes by which the leading citizens "Wyomingized" outsiders to the value of woman suffrage, which process contributed to the maintenance and institutionalization of this reform at a time when no other state or territory had it in place.<sup>57</sup>

Esther Morris' brief comments about the passage of the suffrage bill add an important perspective. She was one of Wyoming's vigorous suffragists. When woman suffrage was safely in the constitution and it looked like Wyoming would be a state, the women of Cheyenne met and decided to contribute a flag to the new state. On April 3, 1890, the executive committee selected Morris to present the flag, the gift of the women of the territory of Wyoming. This was the gift, a deeply symbolic one, that the women chose for that unique statehood celebration. The orator chosen by the women, Mrs. Therese A. Jenkins, asked, in her

56. William W. Savage, Jr., "Plunkett of the EK," *Annals of Wyoming* 43 (Fall 1971): 205-206; Diaries of Horace Plunkett, October 19, 26, 1889, MSS in the Plunkett Foundation for Cooperative Studies, Oxfordshire County, England, Microfilm #134, University of South Carolina; *Laramie Weekly Sentinel*, August 3, 1889; *Daily Tribune*, October 23, 1889; *Cheyenne Daily Leader*, October 23; November 5, 1889.

57. Plunkett, "The Working of Woman Suffrage"; *Cheyenne Daily Sun*, May 24, 1890; *Cheyenne Daily Leader*, May 29; July 4, 1890.

statehood speech, honors for two Wyoming women: Amalia Post and Esther Morris.<sup>58</sup>

In 1870, Morris told a group of California suffragists about the passage of the Wyoming woman suffrage bill, a forum which would be most likely to hear the full truth. Morris told what it was and was not. It was "the result of a bitter feud between the existing political parties, and it was done only in a moment of spite—not out of any regard for the movement, but rather as a bitter joke."<sup>59</sup>

Once again the object of the joke is left unspecified, but the key word is feud. There are only two logical possibilities: if the legislature passed it in spite, there are only two possible targets of the joke 1) Campbell, and, perhaps, the other territorial appointees, or 2) the women. Support for the first choice, as shown earlier, is overwhelming. Is there evidence for a bitter feud between the governor and the legislature? In profusion.<sup>60</sup>

Conflict with the legislature began as soon as Campbell's speech was done; the first issue hinged on who should make the laws; Chief Justice Howe and the men he chose, said the governor. We will, said the legislature, and did. Campbell vetoed several bills. He vetoed a pay raise for the legislators by the legislators; overridden. He axed a bill licensing gambling; overridden. He vetoed a bill to prevent intermarriage between Whites and Blacks or Orientals; overridden. He vetoed bills appointing county officers; overridden. Campbell had developed the territorial seal, featuring among other things, Grant's statement: "Let us have peace." The legislature adopted another seal, and another inscription: "Let arms yield to the gown, or let military authority yield to civil power." They considered but discarded the proposal to have as the inscription, "let us have war." There is strong evidence for early tension and conflict between the outsider Republican governor and the Democrats, the insiders. Campbell had expected trouble. In late October he had even written a letter that did not show up in his letterpress

book soliciting help or strategy from Governor Ashley of Montana. He believed that the legislature would not send him bills until the last week of the session in order that he could not veto. If that were not enough, there also is the conflict between some citizens of Carter County and Kingman, enough to get the judge put out of the district and legislated out of the Supreme Court. Campbell tried to stop the redistricting, but failed.<sup>61</sup>

A second point of tension between the Republican governor and the Democratic legislature was the issue of Black suffrage. On April 28, 1870, shortly after the first jury including women met in Laramie and while Morris was in office in South Pass City, Baker featured front page, without comment, an unidentified exchange newspaper's comments telling the "clincher" argument in the woman suffrage bill. Women who wanted to vote might like to know that a speech by a member had assured the passage of the suffrage bill. "A member arose and said; 'Dammit, if you are going to let the niggers and the pigtailed vote, we will ring in the women, too. And they were immediately 'rung in.'"<sup>62</sup> What other evidence supports opposition to Black suffrage as a motivation for the passage of the bill? Plenty.

Bright's position on Black suffrage and woman suffrage is well documented. In 1868, Bright was one of seventeen men who signed a notice of a meeting "will be holden" in South Pass City. This notice of a Democratic mass meeting proclaimed that "all good and true men, who

Women who want to vote will be interested to know that the following speech, delivered in the Wyoming legislature, was the clincher that caused the passage of the Act which accorded them the right to vote. A member arose and said: "Dammit, if you are going to let the nigger and pigtailed vote, we will ring in the women, too." And they were immediately "rung in."—*Ec.*

The Cheyenne Daily Leader reported on April 28, 1870, another argument for the passage of woman suffrage in Wyoming.

58. *Cheyenne Daily Leader*, March 26; April 4, 1890; *Cheyenne Daily Sun*, July 24, 1890.

59. *Woman's Journal*, March 9, 1872.

60. Larson, *History of Wyoming*, pp. 74-76; W. W. Corlett, "The Founding of Cheyenne, 1884," pp. 23-24, MSS PM-7, copy provided by the Bancroft Library; "John A. Campbell, Diary," pp. 68-69; Kingman in Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 730; Justice E. A. Thomas, "Female Suffrage in Wyoming," *Potter's American Monthly* 18 (May 1882): 492-493; Letter from Mrs. Campbell to Grace R. Hebard, October 27, 1919, Hebard Collection, AHC; *Cheyenne State Leader*, July 24, 1917; *Youngstown Evening Register and Tribune*, July 15, 1880; *Omaha Weekly Herald*, December 15, 1869; Kingman, "Honorable John W. Kingman," p. 224.

61. *Council Journal*, pp. 18, 39-43, 61, 163; Larson, *History of Wyoming*, pp. 75-76; Trenholm, ed., *Wyoming Blue Book*, vol. 1, p. 628; *House Journal*, pp. 85, 211; Letter from Governor Ashley to Governor Campbell, November 5, 1869, Campbell Collection, Archives and Records Management Division, AMH; "John A. Campbell, Diary," p. 68; *Session Laws*, 1869, pp. 389-392.

62. *Cheyenne Daily Leader*, April 28, 1870.

repudiate the Reconstruction policy of Congress, negro suffrage, and the principles espoused by the Radical Republicans party, and who are in favor of equal and exact justice to all sections of the Union, are respectfully invited to participate." Bright was said to be intensely prejudiced against Black suffrage and to have introduced woman suffrage because he believed women were more capable than Blacks of voting. Evidence of racial prejudice in the legislature can be identified in the following statutes passed by them. The alimony and divorce bill which became law without the governor's signature of endorsement specified that "marriages are void without any decree of divorce, that may hereafter be contracted in this territory . . . when one party is a white person, and the other is possessed of one-eight or more negro or Mongolian blood." The school law provided: "Where there are fifteen or more colored children within any school district, the board of directors thereof, with the approval of county superintendent of schools, may provide a separate school for the instruction of such colored children." In the South it was called segregation. The voting qualification stated male, but that was not because the legislature wanted it that way. Refuting charges that Wyoming allowed White and Black women but not Black men to vote, the *Tribune* said:

We beg to remind them that there is one small thing which they never succeeded in doing, although our last legislators [the Democrats] showed a zeal worthy of a better cause, in trying to do it. This one thing is to nullify an act of Congress. As the Organic Act of the Territory provides that no distinction shall be made on account of color, it was unnecessary for the Legislature to do any business in the way of enfranchising male negroes.<sup>63</sup>

The Republicans made clear their support for Black suffrage in the 1869 campaign. The Black Cheyenne hotel owner, B. L. (Barney) Ford was elected to the Republican county central committee, and was appointed as chairman of the Black Republican meeting. During the campaign, at the Republican rally, folks abused the Black participants. When a city policeman tried to intervene, Marshal Howe stopped him. Finally, Howe, the sheriff, and deputies, hauled off one particularly offensive man, and kept him corralled until the rally ended. On election day, at South Pass, Howe, gun in hand, took Black men to the polls and made way for them to vote by threatening to shoot any man who got in the way. U.S. Attorney Carey gave an opinion that guaranteed Blacks the right to vote. His views

were evidently known in Wyoming. Baker commented on September 7, 1869, that Carey had returned from the mining districts; those who hollered for southern rights had let him escape with his life. The *Tribune* made a similar comment. Carey, reported the *Tribune*, drew the immigration bill. One House passed the immigration bill and the bureau of statistics bill. But, said the *Tribune*, since Carey was cagey, and a Radical Republican, some feared a Republican trick, "a black Republican cat," and both bills were strangled. These were the bills that would have advertised the territory in the traditional way. But, Bright and his fellow legislators had something else in mind.<sup>64</sup>

Universal suffrage was one key argument for Black male suffrage; in Wyoming, universal suffrage was legislated to mean universal, including women, all women, with deference toward some. J. H. Triggs was in the territory in the early 1870s, which may not establish when he arrived. It can be demonstrated that he had contact with at least one first territorial legislator from Laramie, Louis Miller. More evidence of the anti-Black suffrage theme came from one of Triggs' history of Laramie, Wyoming. Giving the text of the woman suffrage law and some of the experience with the first women jurors in Laramie, Triggs went on to say that while the United States had seen fit to extend the right of the elective franchise to the "male portion of the poor and 'downtrodden' of all nations of the earth, regardless of intelligence, color, or race, who make known their allegiance to our government, THE TERRITORY OF WYOMING, by an act of her legislature, has taken up the grand and noble principle that our *wives, mothers, sisters and daughters*, are at least entitled to the same rights and privileges; . . ." The Wyoming woman suffrage law was then partly rooted in opposition to the exercise of the franchise by Black and Chinese men, and intended to right the balance by adding White, Black, and Chinese women. While it was not a concession, by some, that woman suffrage was a proper course, it was relative to universal male suffrage, the very least due the female relatives of the Anglo-Saxon men. If Black and Oriental men could vote, anybody should be able to vote. Blood is thicker than ideology. And, in Wyoming, universal suffrage meant precisely that, universal suffrage. Kingman, in his Massachusetts testimony, began with precisely the same point.<sup>65</sup>

63. *Sweetwater Mines*, May 5, 1868; Hebard, "First Woman Jury," pp. 1296, 1301; *Session Laws, 1869*, pp. 228, 274; *Wyoming Tribune*, March 5, 1870.

64. *Cheyenne Leader*, August 20, 23, 25; September 7, 1869; Kingman, in Stanton et al., *History of Woman Suffrage*, vol. 3, p. 729; *Wyoming Tribune*, January 1, 1870.

WILLIAM H. BRIGHT

Bright, when he introduced his bill, made no distinction between kinds of women with regard to suffrage. His bill said "every woman." He made it clear he had not been influenced by *The Revolution*, or a woman speaking from the rostrum. Perhaps this blunt statement placed the burr under the saddle of some feminists, who may have had some reaction to seeing the first success come in a territory in which they could hardly lay a claim. It was to him "just," and he worked and was credited with getting it past. Edward Archibald Slack, Morris' editor son, made it plain enough: ". . . Bright who lobbied, who traded, who dickered and set 'em up for the boys that voted for the measure." Continued Slack, ". . . a more adroit wire puller and female suffragist never existed. He seemed to think that this was all the legislation Wyoming needed, and that if he got it through, the country would be saved." It was not necessary for anyone, including Bright, to show regard for the women's movement to have an idea of justice for women in mind. Robert Morris' letter to *The Revolution* told what did not influence Bright. Bright, wrote Grace R. Hebard, was prejudiced against Black suffrage and felt mothers and wives were better qualified to vote than Blacks and this clear racism and relative justice were at the root of his actions for woman suffrage.<sup>66</sup>

Bright never claimed to have been the sole suffragist. The most compelling reason for thinking that he was influenced by his wife, Julia, and Morris is that he is reported to have said so. On the occasion of the National Suffrage Association of 1902, on Pioneer's Evening, Wednesday, February 12, Bright was seated in the audience among those "who had come to hear and not to speak." Anthony saw Bright and called on him. It is difficult to understand how Bright could have been relegated to the audience, since other men and even Mrs. John A. Campbell were on stage. At the time, Bright was in his seventies and life had been grinding hard for him and his wife. In 1898, Mrs. Bright wrote a Colorado congressman for help, and asked that he aid her by writing a letter to Senator Francis E. Warren. She wanted a job with the Census Bureau, needed it: Mr. Bright's pay was the problem — ". . . indeed it is so small, it is with a great effort I can make both ends meet,

65. Albany County District Court, Journal A, March Term, 1872, p. 187, Archives and Records Management Division, AMH; J. H. Triggs, *History and Directory of Laramie City, Wyoming Territory* (Laramie City: Daily Sentinel Print, 1875), p. 49; Kingman, "Woman Suffrage in Wyoming," p. 1.

66. *Session Laws, 1869*, p. 371; *The Revolution*, January 13, 1870; *Laramie Daily Sun*, January 24, 1876; Hebard, "First Woman Jury," pp. 1296, 1301.

you know \$2.24 a day does not go far." Bright lived in Washington, D.C., a former elevator operator and employee of the government printing office.<sup>67</sup>

The account of the suffrage convention in the *Washington Post* carried no mention of Bright's name. The *Women's Tribune* recounted his remarks. His bill was not introduced "in fun," he said; he said he believed "his wife was as good as any man and better than convicts and idiots." Either he did not say it, or the report omitted the word, "Black." "Mrs. Esther Morris," he said, "had brought her woman suffrage ideas to South Pass and converted them all." Bright told an artless or hyperbolic incident of Morris' service as judge, saying she had sentenced a man to the "dungeon" on bread and water and that fellow was more respectful after that. *The History of Woman Suffrage* also recorded that he had attributed to Morris and his wife the powers of persuasion that led him to prepare the bill. But despite the brevity of the report, it contained several errors. It would be, given these errors, important to hold an open mind had Bright not given earlier testimony, of his own volition, to refute a claim that someone else had introduced the suffrage bill.<sup>68</sup>

Wyoming suffrage advocates, on the authority of Bright, boiled down to four people, including Bright. When another Wyoming man, Hayford, claimed credit for the passage of the Wyoming woman suffrage law, Bright wrote a letter stating that he had introduced the suffrage bill. Stating basically that the record speaks for itself, he quoted the record. Then he challenged Hayford's statement that

at the time, there was not a woman or a man in the Territory who was known as a female suffragist. I respectfully differ with the gentleman, and name Mrs. Esther Morris, Mrs. M. E. Post, Mr. or Mrs. Seth Paine and myself, residents for more than a year in the Territory, and the three former names were proverbial for their earnestness in the matter, and they advocated the cause with great zeal.<sup>69</sup>

ESTHER MORRIS

Morris arrived in Wyoming in the summer of 1869, months rather than years before Bright introduced his bill,

67. Ida Husted Harper, *History of Woman Suffrage*, vols. 5, 31, 34 (New York: Arno and the New York Times, 1969); *Women's Tribune*, February 15, 1902; State Appointments, Miscellaneous, Box #26697, Folder FF3, Colorado State Archives; Washington City Directory: 1897; *Washington Star*, April 28, 1912.

68. *Washington Post*, February 13, 1902; *Women's Tribune*, February 15, 1902; Harper, *History of Woman Suffrage*, vols. 5, 34.

69. *Denver Tribune*, January 21, 1876, as quoted in the *Cheyenne Daily Leader*, January 23, 1876; *Laramie Daily Sun*, January 24, 1876; A. T. Andreas, *History of Chicago* (Chicago: A. T. Andreas, 1884; reprinted by Arno Press, 1975), pp. 540-544, vol. II, p. 517.

though this error does not detract from Bright's description of their advocacy. Nickerson echoes Bright, though he supplies additional, and, remarkably, sworn and notarized testimony to his experience. Nickerson had an ax to grind and it was out in the open. He directly stated his disdain for Bright: a rum smelling barkeeper, not very smart, and a rebel storyteller is a fair translation. He further charged that "Colonel" Bright's title was bogus, and that he had no regard for the bill, calling it the "hen" bill and about the women, a crude expression, meaning let us see how they do. Eager to see that Bright not get undue credit, Nickerson, in justice to himself and the memory of the then deceased Morris, wanted the historical record set straight. Bright, a son of Virginia, born to impecunious Virginians, had no schooling, and was, as Nickerson said, a saloon-keeper. Crude as his actual expression is to modern eyes, though the inquiring attitude is not, a polite translation is what Bright said to Nickerson to explain the passage of the bill: "passed in a jocular manner as an experiment."<sup>70</sup>

Nickerson's interest in history is easily demonstrated in such diverse areas as his enthusiasm for John C. Fremont's western trek, for the naming of Fremont Peak and Fremont County, and his leadership in the Fremont County Historical Association and Oregon Trail Association. Some awareness of the need for accuracy can also be demonstrated. His eruption into the scene of information about woman suffrage was inspired by a newspaper account distinguished by the profusion of inaccuracies. (A swarthy man at a legislature in South Pass City supposedly proposed woman suffrage, offered to withdraw it and "rising to their feet, to a man, his associates cried, 'No! No! No, ' ' and so on.) The account was so far off the mark that "An Historical Correction" which is what Nickerson titled his contribution, was genuinely in order, as was his characterization of that piece—"foreign to the facts and misleading." Hebard later claimed, in 1933, she had asked him to make this correction. This does not contradict his earlier statement, a Republican answer to a Democratic foray, which "claimed all the credit for the democratic party in securing Wyoming suffrage for women." In the latter instance, Nickerson cancelled his subscription to the *Leader*, charging "I find that it cannot tell the truth in any respect," and then gave a history which reflected well on

the Republicans and asserted that the Democrats introduced the suffrage bill to help their party. This was a partisan Republican answer to a partisan Democratic overgrab.<sup>71</sup>

Nickerson wanted to deprive Bright of excess credit, and to see to it that Morris got her share of the credit, which was to acknowledge her advocacy. Nickerson took exception to the gratitude thesis. This version held that Morris, since there were no doctors, helped Julia with a difficult childbirth. This apparently referred to Anna Howard Shaw's version that Morris earned Bright's gratitude during his wife's childbirth and this gratitude motivated him to honor her wishes to introduce a bill for woman suffrage. Nickerson had a judgment: a legend of drivel is a fair translation, and gave his reasons. Mrs. Bright was not pregnant and did not birth a child, and there were, Nickerson said, twenty doctors and many midwives in South Pass at the time—an exaggeration in figures at any point in time, one suspects, though over the years it may be more accurate. Nickerson stood by the facts as he had published them. Nickerson is correct that there were doctors in South Pass, and that Julia Bright had no child during her time in South Pass. It is remotely conceivable that she had a pregnancy that did not make itself apparent to others before terminating. She did, in fact, have two other children, and by 1900, neither the young son, born previously in Utah Territory, nor the other two were living. But, Nickerson is consistent and insistent as to the facts of his personal knowledge, and such as can be directly checked, pan out.<sup>72</sup>

Nickerson got caught up in one of the very problems the suffrage movement was trying to solve, and the suffragists were afflicted with it also. Until Wyoming acted,

71. Unidentified and undated clipping, Hebard Collection, AHC; *Wyoming State Journal*, November 23, 1983; Jules Farlow, "History of Fremont County Pioneer Association," *Annals of Wyoming* 26 (January 1954): 31-32; Nickerson Scrapbook, letter from Wyoming and item, "We Were in Error: Early History of Fremont County," MSS 69C, letter appended to manuscript noting that Nickerson had corrected the typescript after its publication in *Annals of Wyoming*, Historical Research and Publications Division, AMH; *Casper Daily Tribune*, February 6, 1919; H. G. Nickerson to Editor, *Wyoming State Journal*, February 14, 1919; Unsigned letter from Grace R. Hebard to John Charles Thompson, September 8, 1933, Hebard Collection, AHC; *Laramie Republican*, October 10, 1914.

72. H. G. Nickerson to Grace R. Hebard, September 7, 1921, Hebard Collection, AHC; Anna Howard Shaw, *The Story of a Pioneer* (New York: Harper and Brothers Publishers, 1915), pp. 243-244; 1869 Census of Wyoming Territory, Carter County; 1870 Census of Wyoming Territory, Sweetwater County; 1900 Wyoming Census.

70. 1869 Census of Wyoming Territory; H. G. Nickerson to Grace R. Hebard, November 18, 1920, Hebard Collection, AHC; *The Revolution*, January 13, 1870; *Wyoming State Journal*, February 14, 1919.



not a woman in the United States could go to the polls and express herself, directly. The crux of one suffrage argument, pro and con, rested on whether woman could in fact represent herself (independence) or whether she was better served by influencing her man to vote her way, for her consideration (dependence). Proving that one has influenced another, or been influenced by another, is a very dubious matter under the best of circumstances. The suffragists always labored under the burden of showing they had contributed to processes from which they were excluded. Further, it must be remembered that the suffragists were not laboring in the fields of neutral and accurate historical reconstruction; rather, they labored in the vineyards of controversy, confronting both trivial and mean-spirited notions of opposition, and tried to transform these and harvest support for woman suffrage and an improvement in the status of women. Not surprisingly, in the account given by Catt and Shuler, Morris had a lecture from Anthony "ringing" in her ears. Catt asserted that the "determining" influence in Campbell's signing was his insistent memory from childhood, when he sneaked into a Woman's Rights Convention in Salem, Ohio, which was conducted entirely by women, and from which men were excluded. Evidently, they either did not know or did not believe the governor's direct statement on this point—of this more shortly. The national suffragists did not count Mr. Bright as a member of the suffrage movement, probably because he was reported in *The Revolution* to have said he was not influenced by suffragist thought. However, the suffragists' version states that Anthony's convert, Morris, in turn, "converted" Bright. They further claimed Nickerson's statement awarded "entire credit" to Morris. Morris, to Nickerson's mind, should be "due the credit and honor of advocating and originating woman's suffrage in the United States." But, Nickerson did not award "entire credit" to Morris. To award entire credit would overlook the first territorial legislature as well as Bright. To award her credit for advocacy is to take the word of Bright, Nickerson, Robert Morris, who wrote that he and Morris were the only two open advocates in South Pass, and Carey. Nickerson differed in offering specifics of her advocacy. Boiled down it was this: on a social occasion, where refreshments were served, she asked at least two candidates to pledge to introduce a woman suffrage bill. And then Nickerson, a former probate judge, who had been one of the candidates, swore to his personal experience and had his testimony notarized. An open mind to further documentation, or refutation, is warranted.<sup>73</sup>

Carey added weight to the idea that Morris had an effective part in persuading Bright to favor the suffrage bill.

His version had Bright inquiring what he could do in the legislature, and Morris replied to introduce the suffrage bill. It was not written down, Carey said, but she often told the story and Bright, said Carey, never denied it.<sup>74</sup>

Morris was a woman of ideas. She expressed herself well and forcibly, and at least in writing succinctly. The *San Francisco Call* described her: "... courtly, self-possessed woman, full of natural dignity and ease, while her conversation clearly shows that she is possessed of more than an ordinary share of shrewdness and correct appreciation of human nature. Her manner of speaking is off-hand, ready, and at times brilliant. . . ." In answering questions about woman suffrage she gave both sides of the question, wanting both perspectives to be fairly stated, judged the reporter.<sup>75</sup>

Hayford added testimony about her persuasiveness in Laramie: "She has been quite active at times in political matters and her vote and labor has always been on the side of the right. She is a lady of very superior natural ability and with fair education. We have some times thought she manifested a 'zeal not unto knowledge' and have wished her a little more conservative and discreet, but she could never be accused of insincerity or duplicity."<sup>76</sup>

In 1870, Campbell gave the names of the friends of woman suffrage in Wyoming: he listed Morris along with Lee, Posey Wilson, Hayford, and Bright as advocates. Morris contributed much to the experimental phase, in 1870 and long after. It does not establish when she became an advocate, rather that she was, to the governor's mind, one of the key ones.<sup>77</sup>

#### AMALIA POST

Amalia Post was also one of Wyoming's distinguished suffragists. Bright credited Amalia, "Mrs. Morton E. Post," with zealous advocacy, though as with Morris and Seth Paine, he gave no details of what she did. In the statehood ceremonies Jenkins asked for honor for Post, as she did for Morris. Post has a long and distinguished history of

73. Catt and Shuler, *Woman Suffrage and Politics*, pp. 75-79; *The Revolution*, January 13, 1870; *Wyoming State Journal*, February 14, 1919; *Cheyenne Daily Leader*, January 23, 1876; *Cheyenne State Leader*, July 24, 1917; C. G. Coutant, *Progressive Men of the State of Wyoming* (Chicago: A. W. Bowen and Co., 1903), pp. 114-115; Sworn and notarized testimony of H. G. Nickerson, January 10, 1923. Historical Research and Publications Division, AMH.

74. *Cheyenne State Leader*, July 24, 1917.

75. *Laramie Daily Sentinel*, January 21, 1871; *Woman's Journal*, March 9, 1872.

76. *Laramie Daily Sentinel*, June 25, 1874.

77. John A. Campbell Letterpress Book, vol. II, letter dated May 8, 1870. Archives and Records Management Division, AMH.

support for woman suffrage. Her first action may have been to call on Campbell and ask him to sign the suffrage bill, in company with Mrs. Arnold. Not documented by the diary of the governor, who at this point may not have been writing in his diary about woman suffrage issues, nevertheless, Post had plenty of time to tell the national suffragists about their actions since Elizabeth Cady Stanton stayed with Post and Anthony with Mrs. Arnold when the women came to Cheyenne in 1871, just after the repeal effort. Yet Post did not record this action, either in the biography that appeared in Frances E. Willard's *Woman of the Century* or in the very similar one found in the Coutant Collection, which is on Post letterhead in the *Women of Wyoming* or the *Collections of the Wyoming Historical Society*. The muddle is a fine example of the problems the absence of newspaper coverage, coupled with absences of primary data, produces in the reconstruction of early events. An open mind is warranted to Post's advocacy reported by Stanton, as is the possibility that Post's well documented work against repeal has been transformed mistakenly into an earlier action. Post and Morris, said Bright, though he did not mention Mrs. Arnold, were avid advocates. In August, 1871, the *Laramie Daily Sentinel* called Post "one of the moving spirits in the female suffrage work in this country"; so it is interesting that Campbell did not include her name in his May, 1870, letter listing advocates. Nevertheless, Bright's reference point is clear "at the time," when it passed, which is when Hayford charged there was "not a woman or a man in the Territory who was known as a female suffragist." This is the contention that Bright challenged, countering with Morris, Post, Paine, and himself.<sup>78</sup>

#### UNIVERSAL SUFFRAGE

Universal Suffrage, said Judge L. D. Pease, was one of the significant accomplishments of the first legislature, echoing Kingman and Triggs. In the period when statehood was anticipated but not yet a reality, in 1890, Judge

L. D. Pease, an old-timer who had been present during the passage and experimental days, looked back at the actions of the first territorial legislature. He singled out three laws that he judged deserved special mention, and two had to do with women: the law giving women the vote made "Wyoming the only commonwealth on the face of the globe where *universal* suffrage prevails;" the married women's property acts did away with the "old absurd common law. . . ." The third act he cited gave some protection to railroad employees injured on the job. The latter act of protecting the underdog was also controversial. But taken together, the three laws Pease chose do show concern for those who required law for self-protection—women and railroad employees. Pease characterized the first legislators as well intentioned but inexperienced, creating statutory conflicts unintentionally. He recounted one legislator's earnest desire to repeal the Organic Act, and told of one Irishman Brady, who proclaimed he had fled to America to escape the common law of England, wanted nothing to do with English common law, and proposed the common law of Ireland. In these humorous anecdotes, there is, beneath the humor, the suggestion that the law of Congress that organized the territory was not entirely satisfactory. Brady, who voted yes for suffrage, had his own reasons for favoring a departure from the English common law. The actions that produced the suffrage act had many roots. At least two were a concerted feeling that acted to give common man and common woman the power of law for self protection, and a feeling that advances over the common law were acceptable, if not desirable.<sup>79</sup>

#### CONVICTION: JUSTICE

A third motive advanced by Kingman was conviction, which approaches, but which he did not call justice. Bright and one other man, name unknown, declared their reason as just, or right. Since in this saga, one man's justice is another man's poison, there is only one independent parameter in which to study the motive of justice. Was the rest of the 1869 code just to women in part or whole? The Wyoming code is extraordinary for its comprehensive recognition of the various statuses of women: as dependent and in need of protection, and independent and in need of authority to act independently, and as wayward persons who needed punishment. Some, though not all of the sections, use the language of he and she, or "any person." Since it would require another paper to detail

78. *Cheyenne Daily Leader*, January 23, 1876; Excerpts from the *Cheyenne Daily Sun* taken from *Annals of Wyoming* 37 (April 1965): 55; Stanton, et al., *History of Woman Suffrage*, vol. 3, pp. 731, 734; "John A. Campbell, Diary," pp. 69-70; Susan B. Anthony Diary, June 21, 1871, Library of Congress; Frances E. Willard, *A Woman of the Century* (Buffalo: C. W. Moulton, 1893), pp. 583-584; Mrs. Amalia Barney Simons Post, "Coutant Collection, H74-9, Folder 28, Historical Research and Publications Division, AMH; Cora M. Beach, *Women of Wyoming* (Casper: no publisher, 1927), pp. 170-172; Robert C. Morris, *Collections of the Wyoming Historical Society*, 1897, p. 333; *Laramie Daily Sentinel*, August 17, 1871; John A. Campbell Letterpress Book, vol. II, letter dated May 8, 1870. AMH.

79. *Laramie Weekly Sentinel*, March 22, 1890.

these and their interrelations, a few examples must suffice.<sup>80</sup>

The criminal code contemplated women who were drunk, thieves, accessories to crime, "he or she who stands by." But, a woman whose husband forced her to commit a crime was relieved and he was prosecuted as though he had committed the crime.<sup>81</sup> Only the pronoun "he" was used at times: only men were contemplated as office holders and jurors.<sup>82</sup>

Bigamy was prohibited, as was seduction under promise of marriage. The legislators took a most practical approach to adultery, "every such man and woman will be indicted;" punishment was two hundred dollars each or six months in the county jail. A recidivist got trouble; twice the punishment for the second offense, thrice for the third and so on. Marriage would suspend the punishment.<sup>83</sup>

Married women were generously included; at the risk of oversimplifying, a few examples show the breadth. The father was a child's guardian, but in death, absence, or incapacity, the mother could apply for guardianship. Letters of administration were to be issued to the surviving spouse, and distribution of estate the same for the surviving spouse. Absolute property of the widow was defined and not liable to sale. However, a married woman was prohibited from serving as an executrix. The married women's property act clearly gave each married woman the full authority to conduct business, and she was, and her separate property was, independent from the action of her husband. A head of household could preempt a mining claim for "his lawfully wedded wife (if he have one)," and some male, but not female, children. The homestead exemption was for the head of a family, "his or her family."<sup>84</sup> The practice of paying schoolteachers unequally on the basis of sex was prohibited.<sup>85</sup>

A wife could petition in her own name for divorce. Grounds for men and women were the same: adultery; alcoholism; physical incompetency; one year abandonment; a prison sentence of three years or more. A divorce because of the husband's misconduct, adultery or drunkenness, or sentenced to prison for three or more years, entitled the wife to her dower as if the husband were dead.<sup>86</sup>

The record is unmistakable. Whatever transpired, the legislation for women was progressive and liberal. Judging by the code of laws formulated, the joke was not on the ladies of the territory. Kingman, whose legal credentials were impeccable—Harvard, practical training in Daniel Webster's law office—summarized some of these and concluded: ". . . and to a person who has grown up under the common law and the usages of English-speaking people, they undoubtedly appear extravagant, if not revolutionary, and well calculated to disturb or overthrow the very foundations of social order."<sup>87</sup> If there was nibbling away of the privileges given, if the equal pay laws were not enforced, to whatever extent ways were found to dilute these mostly clear laws, it reflects on others and not the first territorial legislators, who had authorized an extraordinary set of laws for women. The argument must be considered that the justice demonstrable in these laws tips the weight of the larger suffrage, elector, and office holding law to the presumption of justice.

#### HASSLING THE GOVERNOR

Why did Campbell sign the bill? Was it an endorsement of the trial of woman suffrage? Or was it a political ploy, the lesser of two evils? Or both? Kingman noted that the law was passed in expectation of a gubernatorial veto. Campbell was a young man, ambitious, bright, conscientious, a partisan Republican, a young man who had the ear of the president of the United States. He had evidently done well in his post in the reconstruction administration of General Schofield. He had lots of acquaintances, maybe friends. Despite these assets, he had some vulnerabilities. He lacked a commanding presence. His short stature, "little Governor," coupled with his reserved and conscientious ways caused him to be described as "demure" and "one of the 'good boys'" of Sunday school fame, who would not do anything "naughty." He did not have a college or law degree, and this opportunity of governing had come to him out of his Civil War service. He had every reason to want things to go well. Being the first governor of the first territory to grant to women the right of suffrage does not seem to predict a placid course, particularly for a non-lawyer. Had he been a man who avidly favored suffrage, his entry into the fray with his approval would be comprehensible. But he was not; and as a non-lawyer, he did not have the personal options open to the territorial appointees who had a law degree. If trouble came, they could just glide into the practice of law, just as Lee did. Camp-

80. *General Laws*, 1869, p. 131.

81. *General Laws*, pp. 99-100, 137.

82. *General Laws*, pp. 152, 281.

83. *General Laws*, pp. 130-132.

84. *General Laws*, pp. 173, 177-178, 188, 303-306, 398-402, 425.

85. *General Laws*, p. 234.

86. *General Laws*, pp. 275-278.

87. Stanton, et al., *History of Woman Suffrage*, vol. 3, pp. 728-729.

bell could not. What then motivated him to sign this bill, which was bound to generate controversy and trouble?<sup>88</sup>

Campbell said: "I approved the bill giving suffrage to woman without looking favorably upon it, owing to my early prejudices. . . ." Mrs. John Campbell was not in the territory when the bill was passed, but she did arrive at the tail end of the intense period of experimentation, in March, 1872. She understood that the legislators were focused on irritating the governor. She had not heard that it was a joke; she also stated she had never heard anyone question the sincerity of the bill. Four years later she said the same thing gracefully again. She understood that the Democratic legislators intended to confound the governor, and anticipating his veto, intended to enjoy and profit from the prestige of a liberal posture, without suffering the problems that likely would accompany actually implementing the reforms. In 1880, when Wyoming was one of the few territories with woman suffrage, Campbell's blind brother, who was in Wyoming with him, told why. "It may have been a great advance movement, and it may have been a blunder inconceivably great; but, whichever it is, it is right that the exact truth should be stated." The governor did not treat it as a joke, and whatever motivated the legislature to pass it, it was, when it got to the governor's desk, a matter, to his mind, which was directed to his judgment. Continued Walter: he could sign it, or keep it five days and do nothing, at which point it would become law without any action on his part. This latter course the governor regarded as cowardly and he felt he had to choose between signing or vetoing it. He saw two sides to the woman suffrage question, and he judged some of the best men in the country to favor it; so while he was not sure it was right, he was not sure it was wrong. "He signed it, in other words, not because he was fully persuaded that it was right, but because he could not thoroughly persuade himself that it was wrong." He thought it was new, and in sparsely populated Wyoming, it could be tried better than most places. Two years later, when the repeal came, he stopped the repeal "of the law to which he had originally given his signature with so much trepidation."<sup>89</sup>

Carey pointed out that the governor took the full time to make up his mind. He also said Bright "finally forced its passage," but also said the legislators were not prepared

to see Campbell approve it. Lee told that the governor was "violently opposed" and was "induced" to sign. Two reasons may have influenced him to sign it. One is that had he opposed it, he would have run head first into the fact that his own U.S. Attorney, Carey, had issued the opinion that the legislature could extend the right of suffrage. The second is he may have needed whatever cooperation he could get from the legislature.<sup>90</sup>

Three facts demonstrated earlier are pertinent here. The governor had written to Governor Ashley on October 25, 1869, and, judging by the answer, it was a request for help. Second, the governor was not a suffragist. Third, at least one motivation of the legislature was to hassle the governor (antagonize, perplex, embarrass, make some fun). Now comes the next piece of the puzzle. After the legislature had been in session more than a month, Campbell wrote a cryptic but clearly wary note in his diary: on November 19, 1869, "Find that Legislature intends not to send me any bills until last week of sessions in order that I cannot veto." He was, then, expecting trouble. He was not referring to his veto power, since nothing the legislature could do could stop Campbell from vetoing, or signing his approval for that matter. A quick consultation with the organic law, which defined Campbell's choices, shows, however, that there was a wrinkle that could muddle up his use of his option to stand aside and not sign the bill, letting it become law. After laying down what the governor should do to approve a bill, what the legislature had to do if he vetoed a bill, the organic law turned to the results of his inaction: "If any bill shall not be returned by the governor within *five* days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law." The key phrase is UNLESS THE LEGISLATURE BY ITS ADJOURNMENT, PREVENT ITS RETURN, IN WHICH CASE IT SHALL NOT BE A LAW. Could the legislature deprive Campbell of his veto power or power to sign the bill? No, it could not. But it could and did deprive him of his option to defer to the legislature and permit the woman suffrage bill to become law without his approval.<sup>91</sup>

Though it is not conclusive, the record is compatible with parliamentary maneuvering. Since there is no evidence outside the record to support this hypothesis, it

88. Kingman, "Wyoming Suffrage in Wyoming"; "John A. Campbell, Diary," p. 6; *Chicago Tribune*, August 23, 1869; *South Pass News*, May 31, 1871.

89. *Woman's Journal*, September 30, 1871; Letters from Isabella Campbell to Grace R. Hebard, April 12, 1914, October 27, 1919, Hebard Collection, AHC; *Youngstown Evening Register and Tribune*, July 15, 1880.

90. *Cheyenne State Leader*, July 24, 1917; *The Revolution*, March 3, 1870; *Cheyenne Leader*, August 25, 1869.

91. "John A. Campbell, Diary," p. 68; Trenholm, ed., *Wyoming Blue Book*, vol. 1, p. 79.

is advanced as speculation, an hypothesis for further testing.

Even though Campbell still retained his full veto power, what he could lose by a sudden decision to adjourn one day early was significant. He lost that five day wait, his chance to dissociate himself, sidestep responsibility for the issue by denying his endorsement of the bill, and let the bill become law on the action of the legislature. What did they have to do to do this? Adjourn. In order to have this duck-the-issue opportunity, the governor had to hold a bill for five days and if he did not return it, it became law.

During the final week of the session, if Campbell was thinking about smiling at the legislators and sidestepping the issue by using this five day wait and let-it-become-law option, the governor would have reason to believe that option was open. George Wilson reported that the bill was handed to Campbell at 8:20 p.m. on Monday, December 6. At any point after 8:20 p.m. on Saturday, December 11, 1869, Lee, if the governor just sat still and did nothing, could announce, as he did with the divorces and alimony bill, that the measure had become law without the governor's endorsement. On Thursday, December 9, in the morning session, Dr. Douglas of the house, who was pro-suffrage, introduced a joint resolution calling for adjournment on Saturday, December 11, at midnight and it was adopted. There was at that point every indication of clear sailing for Campbell to duck making a choice and let the legislature carry the heat, or the glory, as the case might prove.<sup>92</sup>

Well into the afternoon session on Friday, December 10, 1869, the House took up an act to provide for holding elections, passed it and then Douglas introduced a resolution to reconsider its action of the previous day and adjourn at midnight on Friday, December 10. The speaker signed the bill to collect taxes, and then heard a message from the Council indicating that Wilson, Laycock, and Wardman of the Council had already been appointed from the Council and had been instructed to meet with a similar committee from the House and "jointly wait upon the governor and inform him that the legislature adjourns sine die, at 12 o'clock to night." House committee appointed. So during the afternoon of Friday, December 10, it became clear that Campbell's opportunity to sit still and do nothing had just evaporated. At 5:05 p.m., the House took a recess. The trouble he had expected on November 19, had in fact arrived.<sup>93</sup>

Whenever Campbell heard the news, the pressure was on. Assuming he gave it logical consideration, the first question was whether to act while they were in session or after the adjournment. If he acted after they adjourned, whatever he did, Campbell had to carry the full heat or glory. It then became his sole responsibility to decide because he had to sign it to make it law. Doing nothing would kill the law the legislators had passed, opening him to the charge that the gallant Democrats had tried to get the vote for their wives and daughters, and that Campbell thought Black men were better suited than White women. If he acted while the legislature was in session, he at least shared the responsibility with the men who passed it, whatever their motives.<sup>94</sup>

So Campbell's choices narrowed. He knew very well what did not show in the newspapers. The legislature was happy to negotiate with him for what they wanted, and they would not settle readily for half a hog. They called on him to appoint the auditor and treasurer from a list of four Democrats: Campbell met them half way, appointing one of their men as auditor. Still, the legislators held up his Republican appointment, a man who, among other things, had commanded Black troops in the Civil War. Having applied the stick, they next offered the carrot; they countered that nominee by suggesting the appointment of the governor's brother Walter, for whom the governor had a deep affection. The governor declined.<sup>95</sup>

Up to this point, Campbell had not had a single veto sustained; both houses simply joined forces, took a vote and made it a law despite his veto. If he vetoed the woman suffrage bill, and they overrode him, he would have the same situation and troubles, without the political advantage of having approved it. If he killed it by not signing the bill after the adjournment, he took all the heat, and more importantly, he forfeited whatever last minute cooperation he could get on pending legislation. If he signed it, he got the troubles and political advantage. And he may have gotten cooperation with other bills he wanted, like a memorial asking for an increase in the judges' salaries, appropriation bills, the election bill, to name a few still in the legislative pipeline. The sole veto that was sustained came after he signed the woman suffrage bill. The governor needed changes in the Cheyenne trustee bill, and threw his hands up, hoping the legislature would find some way to fix the mess they had created. This is purely speculative, but it is possible. It is also possible that the

92. *Council Journal*, p. 160; *House Journal*, pp. 234, 241.

93. *House Journal*, pp. 256-258.

94. *Omaha Weekly Herald*, December 15, 1869.

95. "John A. Campbell, Diary," pp. 68-69; Trenholm, ed., *Wyoming Blue Book*, vol. 1, p. 105.

press of business was such that it could be finished, or that the legislators decided they would like the weekend free.<sup>96</sup>

Campbell chose to sign the bill while the legislature was in session, not after they adjourned. Early in the evening session, on December 10, 1869, Campbell sent word to the Council that he had signed the woman suffrage bill.<sup>97</sup>

If he consulted with anyone, and his diary does not reflect it, it had to be Lee, whose office he stated he was in all evening signing bills. Kingman wrote years later, that he and Judge Howe urged him, "labored with him until after midnight . . ." to sign the bill, but that recollection seems faulty. Howe was in Illinois and had been there since about October 18, 1869. Kingman, embroiled in a bitter dispute, was in Cheyenne but left for South Pass on November 23. He filled in for Judge Jones in early December, but if he was in Cheyenne on December 10, it is difficult to understand why Campbell noted in his diary on December 19 that Kingman arrived. This is not to say that the judges did not advise Campbell sometime during the process as the bill passed through the two houses, but Howe definitely was not, and Kingman likely was not, present on December 10, 1869.<sup>98</sup>

### THE DEED WAS DONE

About 4 o'clock on December 10, 1869, some citizens decided to get up a party for the legislators and governor. Preparations were hastily made, and the festivities began. Baker recorded some changes that began in the relations between the sexes at that party of which he did not approve. Some of the men smoked cigars in the presence of women, something rarely done before. Change began that fast, and from that moment until the repeal effort was defeated in 1871, there was continual experimentation of one sort or another. What Bright had begun would be sustained in part and finally celebrated in one of the most eloquent celebrations ever conceived. Nobody would say this one was a joke. The record was carefully laid and support on the highest principles began in the constitutional convention.<sup>99</sup>

96. *Council Journal*, pp. 187-189, 191-193.

97. *Council Journal*, p. 188.

98. "John A. Campbell, Diary," pp. 67, 69-70; Kingman, "Honorable John W. Kingman," pp. 224-225; *Wyoming Tribune*, December 4, 1869.

99. *Cheyenne Leader*, December 11, 1869; *Journals and Debates of the Constitutional Convention*, pp. 365-366.

## Part V: Authorship, Conclusions and the Aftermath

The first territorial legislators, despite their unparalleled decision to make women voters and citizens, have been overall covered individually in a shroud of anonymity. As their deficiencies as legislators have been addressed in mostly unfavorable publicity, a word about them is in order. They were mainly young, all Democratic, and approached their task with some seriousness and some patriotic regard. The House adopted a no smoking rule, let ladies sit behind the bar, a treat usually reserved for visiting dignitaries. They tried to make the rules a little fairer for men, their wives, and widows, when men who worked for the railroad were injured, disabled, or killed in a job related accident. The House did approve a plan to encourage beauty and produce by planting fruit and shade trees, but the Council, after tangling with cost, decided against it. They provided for the education of children, Black and White, in which provision they were ahead at least of some communities. They were racist, but then who would believe that the quiet at Appomattox brought a resolution to problems of race that the South had

proven its readiness to die rather than confront. There was, though, a meager limit even to them. The kidnapping law made it clear that a Black person in Wyoming was safe at least physically: Kidnapping was "stealing away" a man, woman or child, and "every person who shall forcibly steal, take or arrest any man, woman or child, whether white, black or colored, . . ." was a kidnapper. They were partisan, but then, Campbell had thrown down the gauntlet more than once in his speech, his vetoes and veto messages. They were men who knew how on a daily basis to maintain their equilibrium in a part of the world where often law was not handy, by wit and speed and strength, rounding out the words self-reliant to their fullest meaning. Even the dry-bones procedural journals and the legal prose of the 1869 code did not obliterate their humor, their practicality or independent thinking. The legislators of the youngest American territory, who convened the year iron rails linked the nation coast to coast, in fifty-one days created a functioning democracy. Wyoming rebels began in merriment, added woman to the roll call of American

citizens, and ended in merriment at a ball.<sup>1</sup>

Women knew very well, as did anybody who had eyes to see and ears to hear, that there were all kinds of women in Wyoming. There were mothers, daughters, and a few business women and professionals, mainly teachers, sisters, dance hall girls, gambling girls, and women who sold themselves and had plenty of business. They made laws for all of them. Woman suffrage, all things considered, in the heat of it all, was just not a big enough issue and, perhaps, was worth the risk to have the fun of hassling the governor. Maybe some did, when the heat of battle was over, when the eyes of the world were looking straight at them, as Pease reported, maybe they did want to turn and run and change their names so they would not be known as having had a hand in the Wyoming woman suffrage law. Additional data will come when it is possible to reconstruct the lives they lived after that wintry evening in December when they played a legislative poker hand with the governor.<sup>2</sup>

#### WHO WROTE THE BILL?

Given Bright's declaration that he had never attended school and did not know where he learned to read and write, much less had legal training, there seems to be reason to question who wrote the bill he introduced. Bright never claimed to have drafted it. The practice in later years was for legislators to ask lawyers to draft the legislation, which drafting was done for a client and as he wished it, whatever view the lawyer might hold.<sup>3</sup>

In one of the very few letters written by Esther Morris telling about the Wyoming experience, for the national woman suffrage association, she awarded the credit "entirely . . . to men," and indeed since by law the officeholders were men, it could hardly have been otherwise. She also wrote: "To William H. Knight [sic] belongs the honor of presenting the . . . bill."<sup>4</sup> If this was intended to

signal that he did not draft it, that it came from elsewhere, the signal is too weak without other evidence. Nevertheless, during the constitutional convention, M.C. Brown said Esther Morris had given Bright the bill.<sup>5</sup> Morris could have gotten a bill; her kinswoman, Mrs. Chatfield, was Susan B. Anthony's secretary at the newspaper, *The Revolution*.<sup>6</sup> Perhaps it is just coincidence that her letter uses the same word "presenting" the bill, as the private letter to *The Revolution* did when it said the president had presented the bill and predicted passage. It is possible, but possible is not the same as demonstrating that she did.

Lee claimed he wrote the bill. The archaic phrase "to be holden" has been suggested as circumstantial evidence that he did. The word "holden" is found in the preamble to the constitutional amendment offered by Lee in the Connecticut legislature. But, Lee did not write the bill; he changed only two words in the bill introduced earlier by Doig. The text of the bill does not contain the word "holden." The word holden is a frequent but not invariably used word in the preamble of that state's proposed constitutional amendments.<sup>7</sup>

"Holden," while archaic, was apparently used in other circumstances in Wyoming. One other bill, the jury bill, introduced by Lawyer Ben Sheeks, presumably drawn by him, uses "to be holden." Sheeks chaired the special committee dealing with Council Bill #77, salaries of judges of the Supreme Court; Howard Sebree and J. H. Douglas, were also appointed. Reporting a do pass with amendments, Sheeks presented the new amendment which included the phrase, ". . . law terms to be holden . . ."—though the word did not appear in the final code.<sup>8</sup>

The use of the word "holden," is found closer to home than Connecticut. In the Laramie County Commissioners minutes, the phrase "to be holden" is used twelve times. The county commissioners present were J. R. Whitehead, lawyer and chairman, S. M. Preshaw, William Morris, clerk

1. *House Journal, First Legislature Assembly, Territory of Wyoming*, p. 30; T. A. Larson, *History of Wyoming*, 2nd ed., rev. (Lincoln: University of Nebraska Press, 1978), p. 77; *House Journal*, pp. 190, 259; *Council Journal, First Legislative Assembly, Territory of Wyoming*, 1869, pp. 188-189; *General Laws, Memorials, and Resolutions of the Territory of Wyoming Passed at the First Session of the Legislative Assembly* (Cheyenne: S. Allan Bristol, Public Printer, Tribune Office, 1870), pp. 219-234; *Atlanta Constitution*, December 1, 1870; *General Laws*, p. 106; Larson, *History of Wyoming*, p. 73; *Cheyenne Leader*, October 12; December 11, 1869.

2. *Cheyenne Leader*, September 13, 1869; *Laramie Weekly Sentinel*, March 22, 1890; also see Part II.

3. Answer of E. P. Johnson, U.S. Attorney for Wyoming Territory, to charges preferred by Alf Lee and J. W. Kingman, RG 60, DJ Source Chronological Files, Box 714, National Archives.

4. *Laramie Daily Sentinel*, January 21, 1871.

5. *Journals and Debates of the Constitutional Convention of the State of Wyoming* (Cheyenne: The Daily Sun, Book and Job Printing, 1893), p. 352.

6. *The Revolution*, December 2, 1869.

7. Larson, *History of Wyoming*, p. 93; T. A. Larson, *Wyoming: A Bicentennial History* (New York: W. W. Norton and Company, Inc., 1977), p. 80; *Journal of the House of Representatives of the State of Connecticut, May Session, 1866* (New Haven: T. J. Stafford, 1886), p. 81; *Journal of the House of the State of Connecticut, May Session, 1867* (Hartford: Case, Lockwood and Company, Printers, 1867), p. 620; *Journal of the Senate of the State of Connecticut, May Session 1867* (Hartford: Case, Lockwood and Company, Printers, 1867), pp. 114-117.

8. *General Laws, 1869*, pp. 282, 415; *House Journal, 1869*, pp. 151, 233-234.

and guests W. W. Corlett, lawyer, Colonel Gibson, and A. T. Drake.<sup>9</sup>

The closely related phrase "will be holden" is found in the call to a Democratic mass meeting in South Pass City signed by Bright and others. It is found in the Sweetwater County Sweetwater Commissioners minutes referring to a term of court "to be holden," John O'Donnell, clerk.<sup>10</sup> The point is simply that it is difficult, if not impossible, to establish authorship by reference to a term of common use, even if outmoded.

Sheeks, when he wrote to Grace Hebard, described Julia Bright in positive terms, a feminine suffragist. At the time he wrote, he was a prestigious judge, and while he gave first hand, solid testimony to Bright's seriousness of purpose, he credited Mrs. Bright, whom Bright did not even mention as an advocate until 1902, with being the power behind the throne. Sheeks believed in 1869 that Mrs. Bright wrote the bill. But in that time, when women struggled to get professional training of any kind, and Mrs. Bright is not known to have had such, Sheek's belief seems to be at odds with probability.<sup>11</sup>

Edward Archibald Slack credited Bright with writing the bill in an editorial focused on that point precisely: "It was he who drew up the bill." Kingman said Bright was the "author" of the bill, and recounted Bright's sincerity and effectiveness in getting it passed.<sup>12</sup> There is not yet a definitive answer, but then again, the key point, the sponsor, is and always has been known.

In 1876, Kingman told the Massachusetts legislators that the law came about "without much discussion, and without any general movement of men or women in its favor." Hayford referred to the absence of suffragists "by profession" and the point is worth noticing. Citizens talked to citizens, listened to the legislators, read a short recitation of events in their newspapers. There were no suffragists in Wyoming who devoted their entire effort to the

suffrage cause, in the sense that Anthony and Elizabeth Cady Stanton did. And when it got to public credit, Morris paid tribute to Bright and Bright paid tribute to Morris, Post, and Paine. Bright was not alone in his distance from the national suffrage movement. Hayford said he had never favored the suffrage for women for the same reasons as Miss Anthony. The point is that there were a diversity of perspectives, even among those favoring suffrage. And when it was a fait accompli, the reaction, said Kingman was "indifference by some, with dislike by others, and with warm regard by many," though he did concede that the opposition was initially "bitter." Opposition appeared and was worked out during the experiment phase, as opponents could not block the passage of the bill. Kingman wrote that women wrote to ask support for the bill. The absence of a political movement means that the social matrix in which these ideas developed were private processes: conversations, newspapers, magazines. Baker's steady coverage of the national suffrage movement offered at least the opportunity and the information for an informed and reactive citizenry.<sup>13</sup>

## CONCLUSIONS

What other conclusions can be reached? What trends can be identified? Final conclusions must await a chronological analysis of the experimental phase, which when integrated with the facts from the passage phase will offer definitive insights into the processes that initiated and then shaped the territory of Wyoming into one bedrock of the woman-as-citizen American tradition. Preliminary trends are apparent. There was significant opportunity for people in Wyoming to be aware of the emerging and broad issues of woman as citizen from 1867, thanks to young Nathan Baker's promise to cover the woman suffrage story. Whatever happened on Willow Creek remains so far a mainly blank canvas; but Bright and Morris sprang from that base as suffrage supporters in Wyoming (Paine was nearby in Hamilton). Amos Steck did the same in Colorado.<sup>14</sup>

It has also been shown that there was ample time for the emergence of opposition during the passage of the

9. Laramie County Commissioners Journals, Volume A, September 12, 1868, pp. 36-41, Archives and Records Management Division, Wyoming State Archives, Museums and Historical Department (AMH), Cheyenne.

10. *Sweetwater Mines*, May 30, 1868; Board of County Commissioners, Sweetwater County, pp. 25, 54, Archives and Records Management Division, AMH.

11. Ben Sheeks to Grace R. Hebard, August 20, 1920, Hebard Collection, American Heritage Center (AHC), University of Wyoming, Laramie; see Part IV, footnote 52.

12. *Laramie Daily Sun*, January 24, 1876; "John W. Kingman," in Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joslyn Gage, eds., *History of Woman Suffrage*, vol. 3 (New York: Arno and the New York Times, 1969), pp. 729-730.

13. "Judge John W. Kingman, Woman Suffrage in Wyoming: Six Years Practical Workings, Testimony Delivered January 18, 1876, Before the Massachusetts Legislature," p. 1, Historical Research and Publications Division, AMH; *Woman's Journal*, February 24, 1883; *Laramie Daily Sentinel*, January 21, 1871; July 21, 1875; *Laramie Daily Sun*, January 24, 1876; Kingman in Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 730.

14. *Wyoming Tribune*, January 29, 1870.



legislation. The fact that it did not, speaks to an accepting base of sentiment for the expansion of the rights and role of women. Granting that this may be an artifact of all the missing newspapers, the fact remains that the opposition did not make its way into the columns of the extant Republican papers. Further, no matter how well understood it was that the governor would veto the woman suffrage bill, at the point Baker wrote in the *Leader* that the governor likely would sign the bill, there was reason and opportunity for opposition to erupt as pressure on the governor and the legislators. The silence surrounding the entire passage phase was one of the salient features of the passage.

Evidence of bitter racism is solid. Likewise, a bitter partisan struggle with the governor has been shown. Kingman's five motives, justice, territorial advertisement, harass the governor, a joke, and a Democratic plan to get votes by a liberal posture have been demonstrated to operate in combination with personalities and politics. The fact that women's names were not reported in the few extant newspapers obstructs reconstruction of many events. Opposition did emerge. After the bill passed, what were the legislators to say to their constituents? How could they explain particularly to complaining constituents? What would they say? The letter to the *Tribune*, January 15, 1870, suggests that the prospect of women coming to Wyoming softened some complaints. Likely they tried to minimize, to diminish the impact of the passage, a post facto necessity for those who voted yes. Despite all the efforts to minimize, and the joke motif was a natural argument for this, virulent opposition did emerge to impede or prevent women from participating. The evidence clearly shows that the joke motif was a broad one, and that considerable numbers understood this to be a motive, though with differing objects. It is especially interesting then that Isabella Campbell did not understand this to be a motive. Either the talk died out before she came to the territory as the governor's bride or it was spoken about circumspectly. Or the joke and the hassle the governor motifs were equivalences. The joke was not on the women. The code of 1869, if it shows anything, shows a clear effort to account for the dependent and independent statuses of women, and the beginning remedy for economic discrimination focused on the occupation most held by women, teaching. The fact that Wyoming men chose to test the experiment per se shows that more were willing to try it than to nip it in the bud, to defeat it without a trial. This is not necessarily the same as supporting it. Men had chosen women for the role of citizen and they would see how it worked. Faithful ad-

vocates, like J. H. Hayford, whose part in this phase has not survived in any detail, come on stage when the experimental phase begins. How they chose to test it, who did what and when, belongs to a future study.

#### AFTERMATHS

When Wyoming entered the Union, the men and the women, who had proposed planning a part of the program independently, and did, planned a celebration. No longer a resident of Wyoming, Bright did not stand on the stage that celebrated the event nor share the glory for his original decision. The women of Cheyenne chose four women for public honors, two of whom Bright had credited with energetic advocacy many years before: Morris was to give the flag, the gift of the women of Wyoming, and Post was to accept the constitution that provided for woman suffrage and included a declaration of political equality. Bright's contribution was one, a stellar and key one, but only one, of many contributions by Wyoming men and women, whose ideas and actions brought Wyoming to try a new order of things and to wear the name, Equality State.<sup>15</sup>

Always hampered by his lack of formal schooling, Bright, whose character was questioned by more than one person, nevertheless by all accounts loved his wife and worked hard all his life. The man who put full suffrage on the lawbooks, a first, all things considered, in the history of women, reaped no reward, other than a line in his obituaries, one wrong at that, for his generosity. Perhaps it came as his wife hoped, looking down from heaven at the ever widening popularity and success of woman suffrage. He died in a rented house and he was laid to rest in an unmarked grave in his father-in-law's plot. In time, the wife for whom he labored to give the vote, went to a home supported by his Masonic brethren.<sup>16</sup>

When Hebard wrote for his picture, Julia Bright replied that Bright would have been glad because he had always maintained his interest in the suffrage question. Mrs. Bright did not give Hebard information in 1913 about Bright's experience in the legislature, but directed her to the legislative proceedings, saying she still had a copy

15. *Cheyenne Daily Leader*, April 1, 3, 4; March 26, 1890.

16. C. G. Coutant to Frank W. Mondell, May 22, 1903, Historical Research and Publications Division, AMH; Kingman in Stanton, et al., *History of Woman Suffrage*, vol. 3, p. 729; *Evening Star* [Washington, D.C.], April 28, 1912; Mrs. William H. Bright to Grace R. Hebard, March 28, 1913, Hebard Collection, AHC; 1900 Wyoming Census; 1850 Census; Mrs. William H. Bright to Grace R. Hebard, March 28, 1913, Hebard Collection, AHC.



Wyoming's state seal was placed on a three cents stamp in 1940 to honor the state's fiftieth anniversary. The draped figure in the center symbolizes the political status women have always enjoyed in Wyoming.

which she valued above all her possessions.<sup>17</sup> The man who offered his personal solution to a problem the Civil War did not solve gave the opportunity for the women of Wyoming to walk upon the stage of public endeavor and walk into the Union as citizens.

When Wyoming entered the Union, from coast to coast the suffragists joyously celebrated: with speeches, songs, poems, telegrams, letters, and flags. Some women who happily celebrated the event touched the heart of a senator. They had celebrated victories before, but this was different, he judged. Some of the suffragists were seventy or eighty years old, and he thought the time was close for them to get on their "chariot[s]" for heaven. It was Wyoming, not heaven, that was on their minds. He labored to explain that they seemed to feel that this time they had "got

something for themselves." They were, he explained, people who had passed their lives doing something for others, and being happy only when they made somebody else happy—"smiling, as it were, only at second hand." With Wyoming, the chance came for personal experience and personal expression and a first rate smile of self-satisfaction, and so Wyoming became a symbol of what was for some and could be for every woman, and a new set of feelings, dreams, and psychology, was born. But, that gets ahead of this story.<sup>18</sup>

When the legislature adjourned, and the party began, Bright's part in what was to be a saga was over. When men are what they ought to be, women will not be compelled to petition or protest.<sup>19</sup> It was Therese Jenkins who said, about Wyoming, "We have never been compelled to petition and protest."<sup>20</sup> What Wyoming legislators, a majority, did was to accept women as voting citizens without imposition of those other duties of citizenship men met, militia duty and yes, jury duty, because serving on juries died along the way. In an age when life span and reproductive years were close indeed, to authorize women to function as citizens, without tyrannical harshness, required such concessions and few men were willing to concede them and to welcome women as women in all the diverse roles and conditions of womanhood.

And then, when the party was over, the outcome of the "jocular experiment" was, in a major part, up to the women of Wyoming. Every woman of and over the age of twenty-one years.

17. Mrs. William H. Bright to Grace R. Hebard, April 17, 1913, Hebard Collection, AHC.

18. *Woman's Tribune*, July 19; August 16; September 13; October 25, 1890; July 25, 1891.

19. Though I agree with this concept, I would like to acknowledge that this thought is not original with me, even though I am unable to provide the citation. Many years before I began this Wyoming work, I read minutes and reports of various local, state, national, and international suffrage meetings. Buried in one of these, a woman expressed such a sentiment. Though I have not retained her expression of it with precision, the essence is accurate.

20. Therese A. Jenkins quote may be found in the *Cheyenne Daily Sun*, July 24, 1890.

*Sidney Howell Fleming, M.D., is an Associate Professor of Psychiatry at the Emory University School of Medicine, Atlanta, Georgia. Her primary area of interest is the psychology of gender. A secondary area is the history of women in medicine. Complete biographical information can be found in Who's Who of American Women.*

Speech given by Therese A. Jenkins at statehood celebration, July 23, 1890, Cheyenne

Mrs. President, Governor Warren and gentlemen of the state of Wyoming:

In behalf of the ladies present and in the name of many who are not with us today, I am requested to make this expression of our appreciation of the great benefit conferred upon us at your hands, and confirmed by the congress of these United States. Happy are our hearts today, and our lips but sound a faint echo of the gratitude within our bosoms. While we rejoice with you that our young commonwealth has been permitted to place upon this beautiful banner her bright prophetic star, how much more reason have we for enthusiastic demonstration.

The republican spirit of 1890, with a generosity unrivaled in all the annals of political economy, has admitted into the national jurisprudence, the voice of woman. We have been placed upon the very summit of freedom and the broad plain of universal equality. Think ye that our tongues are silent or that we have no need to sing our anthems of praise? History chronicles no such an event on all its pages, and the bells of the past ring out no such victory.

We have never been compelled to petition or protest; we have ever been treated with a patient hearing and our practical suggestions have been most courteously received and in the future we but desire a continuance of these favors. We ask of our law makers just laws for the enlargement and perpetuity of our educational facilities; we ask of our legislators wise and magnanimous measures for the erection and maintainance of our benevolent institution; we ask of you laws for the better protection of the moral as well as physical natures of our boys and girls, even though the maverick be neglected, and, taxpayers and burden bearers that we are, may we not expect the proper enforcement of these laws as well as the framing of them. We have, it is true, many lessons to learn and possibly many mistakes to make, but shall we not choose for our instructors those who have our best interests at heart, who seeing the need may plan for the result. We, no doubt, will be advised by many factions, some declaring we are behind in our social and moral reforms, others that we outspeed public sentiment, but the experiment is ours, and with us it will either succeed or fail. . . .

Bartholdi's statue of liberty enlightening the world is fashioned in the form of a woman and placed upon a pedestal carved from the everlasting granite of the New England hills, but the women of Wyoming have been placed upon a firmer foundation and hold a more brilliant torch.

In the days of the past there came to this region a woman who had been reared among the hardy minds of the east. She brought with her, her family, her garden seeds, her doctrine of woman's equality before the law. Her sons live to do her honor, her garden seeds have been planted and she has proven to the world that this desolate plain can be made to blossom as the rose, and to day she sits with us at the age of 77 a free citizen equal with her sons. Esther Morris, like Queen Esther of old, has dared to brave the anger of man rather than her own people should perish.

We ask no trophies at our feet, no laurel on our brows, but we do ask for these two, Mrs. Morris and Mrs. Post, a wreath of immortelles fashioned in the motto of 'Faithfulness,' and hung on the walls of 'Endurance,' and this young girl guard of honor, picked from the flowers of the state, who today have walked through the dusty streets that they might be beside this beloved flag, may well emulate these examples, preferring ever to sacrifice personal comfort to duty and pride to patriotism.

These words of thankfulness would be incomplete were we to neglect to utter the sentiments of our hearts in enumerating among our noble friends the names of the framers of our constitution. In the list, cherished in the hearts of us all, stands out that of M.C. Brown, president of the convention; George W. Baxter, who introduced our clause in the constitution; J.K. Jeffrey, chairman of the committee, and J.W. Hoyt; who without malice, trickery or subterfuge granted us our wishes, and we claim the right to day to do these heroes reverence, and in this galaxy of stars which every woman wears to day a diadem of gems shines out, the fairest and rarest of them all, F.E. Warren and J.M. Carey, and ye who applaud say never again a prophet has honor save in his own country.

May these salty surges carry this reflection on their swelling tide even to the mines of Siberia, where exiled woman, groaning in degradation and slavery, may catch some glimmer of hope, and, listening, hear some note of a glad hosanna that rings out tonight from this, our inland plain, not, perhaps, from the lips of angels, but from the hearts of women as we proclaim aloud our glad tidings of great joy, the political redemption of our sex.

And may that beautiful bow of color which spanned our eastern boundary at the golden sunset hour of July 10, 1890, be but a faint promise of the prosperity, the stability, the harmony of our magnificent domain, guided (not governed) by the hand of man clasped in the hand of woman.

Taken from the *Cheyenne Daily Sun*, July 24, 1890, and the *Cheyenne Daily Leader*, July 24, 1890.



UNCLE SAM Have been waiting for you, Miss Wyoming. Welcome to my house.  
MISS WYOMING I bring with me a constitution giving equal rights to ALL.

*The Cheyenne Daily Sun printed this cartoon in its June 28, 1890, issue, a day after the U.S. Senate approved Wyoming's statehood bill. The House had approved the bill in March, 1890. President Benjamin Harrison signed the bill on July 10, 1890.*

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# ANNALS of WYOMING

Volume 62, No. 2 Summer 1990



1890-1990  
**WYOMING**  
**CENTENNIAL**  
A LASTING LEGACY.

The WYOMING STATE ARCHIVES, MUSEUMS AND HISTORICAL DEPARTMENT (AMH) was established in 1895 to collect and preserve materials which interpret the history of Wyoming. It maintains the State Historical Library and Research Center, the State Archives, the Wyoming State Museum, the State Art Gallery, State Historic Sites, and the State Historic Preservation Office. The Department solicits original records such as diaries, letters, books, early newspapers, maps, photographs and records of early businesses and organizations as well as artwork and artifacts for museum exhibit. The Department asks for the assistance of all Wyoming citizens to secure these documents and artifacts.

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*ABOUT THE COVER—Devil's Gate is one of the most famous landmarks along the Oregon Trail. Cyrinnus Hall painted this view of the well known Wyoming site. Hall painted actively from 1852 to 1894. His paintings of the Rocky Mountains cover the areas of the Black Hills, the Platte River, and the Green River. His sketches are located in the Wyoming State Art Gallery in the Wyoming State Archives, Museums and Historical Department. For a description of travel along Wyoming's portion of the Oregon Trail see "Wyoming's Trails: A Centennial Appreciation" by Robert L. Munkres in this issue of Annals of Wyoming.*

# ANNALS of WYOMING

Volume 62, No. 2  
Summer, 1990

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Authors should submit two typed, double-spaced copies of their manuscripts with footnotes placed at the end. Manuscripts submitted should conform to A MANUAL OF STYLE (University of Chicago Press). The Editor reserves the right to submit all manuscripts to members of the Editorial Advisory Board or to authorities in the field of study for recommendations. Published articles represent the view of the authors and are not necessarily those of the Wyoming State Archives, Museums and Historical Department or the Wyoming State Historical Society.



## TABLE OF CONTENTS

LIBRARY RECEIVED  
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WYOMING STATE ARCHIVES  
LARAMIE

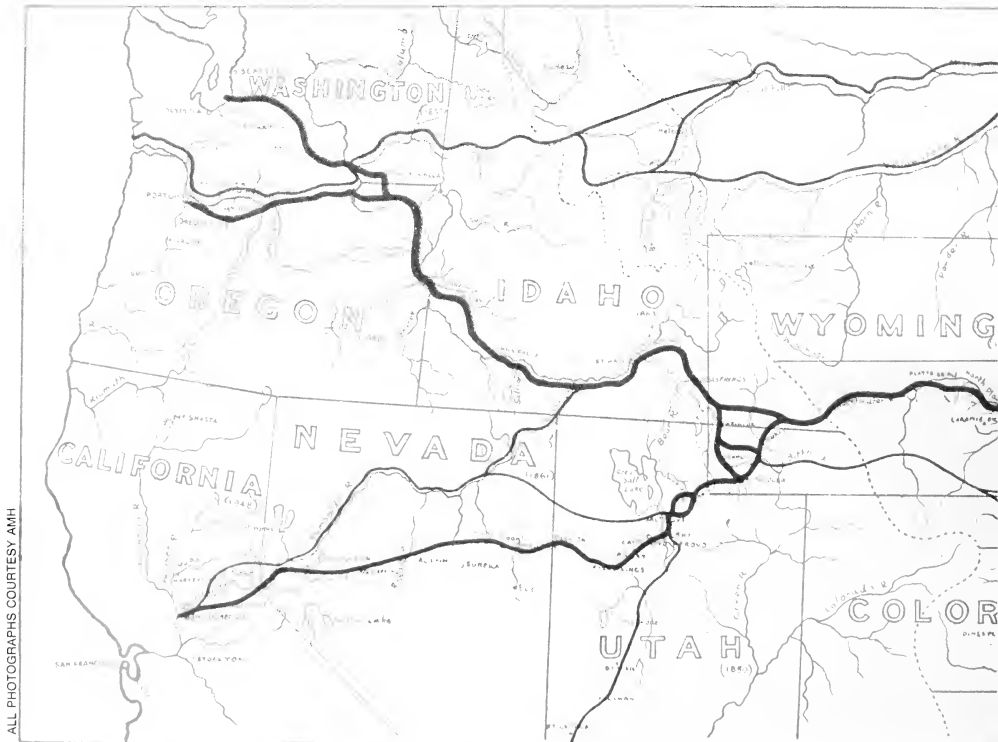
WYOMING'S TRAILS: A Centennial Celebration . . . . .	74
by Robert L. Munkres	
THE CHEYENNE CEMETERY: Reflections of the Life of a City . . . . .	90
by Dennis Frobish	
WYOMING SCRAPBOOK . . . . .	100
BOOK REVIEWS . . . . .	104
Gardner and Flores, <i>Forgotten Frontier: A History of Wyoming Coal Mining</i> ; Long, <i>Where the Sun Never Shines: A History of America's Bloody Coal Industry</i> , reviewed by David Wolff.	
Kittredge and Smith, <i>The Last Best Place: A Montana Anthology</i> , reviewed by Keith Edgerton.	
Bell, <i>Vanguard of the Valley: A History of the Ten Sleep Country</i> , reviewed by Robert A. Campbell.	
West, <i>Growing Up With the Country: Childhood on the Far Western Frontier</i> , reviewed by Andrew Gulliford.	
Heidepreim, <i>A Fair Chance for a Free People: Karl E. Mundt, United States Senator</i> , reviewed by William Howard Moore.	
BOOK NOTES . . . . .	109
LETTERS TO THE EDITOR . . . . .	111

ANNALS OF WYOMING is published quarterly by the Wyoming State Archives, Museums and Historical Department. It is received by all members of the Wyoming State Historical Society as the official publication of that organization. Membership dues are: Single \$5; Joint \$7; Institutional \$10; Life \$100; Joint Life \$150. Copies of previous and current issues of ANNALS may be purchased from the Editor. Correspondence should be addressed to the Editor. ANNALS OF WYOMING articles are abstracted in Historical Abstracts and America: History and Life.

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# **WYOMING'S TRAILS: A Centennial Appreciation**

*by Robert L. Munkres*





## WYOMING'S TRAILS

For half a century, the road to America's future passed through Wyoming. And all associated with that road—the people and the places, the sites and the scenes—contributed to that kaleidoscopic series of events that constituted the frontier.

Together with its near neighbors in the Rocky Mountain West, Wyoming was a principal contributor to a uniquely American version of a universal phenomenon—the growth and development of the frontier. And a major part of that contribution reflected geography/topography, for Wyoming was the location of the most important ways of passage. The road west followed the trails to Utah and on to the Pacific Coast—the Oregon-California Trail, the Overland Trail, and the first transcontinental railroad.

Histories in near staggering numbers have been written about these trails, their many offshoots and about the principal groups of people who used them. A centennial year is, perhaps, a time for bold projections into the future based on all-encompassing explanations of the past. But it is also a time for remembering and for celebrating

famous events, places and people—for recalling with nostalgic fondness not only the famous but also “the rest of us,” the tens of thousands of emigrants and soldiers, missionaries, and mountain men who passed this way before us and in so passing engraved upon the American spirit the mark of quiet courage, unapologetic faith and joy, and perhaps above all, steady determination. And remember, too, these qualities also marked those proud, dignified, hard-riding nomads who were here first—the Plains Indians.

It is impossible to take detailed note of all the people and places associated with the history we here honor by remembering. A short “appreciation” such as this can only call back the memory of a representative few, hoping that the following vignettes and descriptions will, for each reader, stimulate a deeper appreciation and refreshed memories of all the events and individuals who played parts on that stage which became Wyoming.

The people who frequented/traveled it have long since departed, but much of the trail itself is still here, and it



constitutes one of the true historic treasures of Wyoming—a treasure which sprang from a dream which, in the nineteenth century, had stimulated speculation since the days of Robert Rogers and his Rangers—for this was the road to Oregon. From Fort Laramie (now a National Historic Site) to Fort Bridger (now a State Historic Site), both residents and visitors can retrace the road west in an authentic topographical setting matched by few other states, and surpassed by none.

The history of Wyoming before statehood, then, is the history of mass emigration and migration—a continuous coming together of people and places. Let us briefly revisit some of these sites and remember some of the people who, by traveling the road west, became forever part of Wyoming.

The first migrants who roamed Wyoming have been called by a variety of names—First Americans, Native Americans, American Indians. In historic times, however, they called themselves by other names, names then strange to European ears—Arapahoe, Shoshoni, Cheyenne, Crow, Dakota. Many of these people, whose ancestors likely wandered across a frozen Bering Strait from Asia some ten to twenty thousand years ago, migrated from the region of the Great Lakes and along the Missouri from whose bottom land they wrested a grubbing existence—before they acquired the horse! For a fleeting moment of history, from perhaps 1775 to 1875, former berry-pickers and root-diggers in these and perhaps two dozen other tribes were transformed into aristocrats of the wilderness—Lords of a Grassland Empire!<sup>1</sup> For one hundred years their names blazed like a shooting star across the pages of western history.

The “Opening of the West” provided a new life for many White men and women. For the original inhabitants of the high plains, however, it marked the beginning of the end of the free days as they had known them. “In recounting the story of the development of frontier America, it is well to remember that the total costs have not yet been tallied and that some debts remain still unpaid.”<sup>2</sup>

By the second decade of the nineteenth century, Whites had begun to penetrate this region. Though at first very few in number, those numbers steadily increased as a new set of “actors” strode across the stage. Rough, frequently uneducated in the formal sense, generally unable (for a variety of reasons) to live in more closely settled areas—the mountain men roamed the high country in search of beaver for only a bit more than twenty years, but they left a cultural and folk memory of life lived with a surpassing freedom unlike anything we today will ever know.

Although the Lewis and Clark expedition, and the ventures of Manuel Lisa led the way, the real era of the mountain man began with an advertisement in several St. Louis newspapers. William Ashley, the lieutenant governor of the state of Missouri, wished “to engage ONE HUNDRED MEN, to ascend the river Missouri to its source, there to be employed for one, two or three years.”<sup>3</sup> According to contemporary accounts, their advertisement brought forth a response from a random selection of the bottom of the St. Louis social order! But habits of grog shops and other iniquitous establishments were by no means the only ones who applied for positions as “Ashley Men”; although in the minority, a group of tough, strong, smart, and ambitious young men also applied.

To a man unknown at the time, through the next twenty years they would dominate the exploration and development of the American West. The roster of “Ashley Men” in 1822 and 1823 reads like a “Who’s Who” of the fur trade. Individually and collectively, they added a new title to American history, for these were the first of the “Mountain Men.” A simple listing of some of those who became paladins of the high country is sufficient to show that the claims of the preceding sentences are not idly advanced: Jedediah Smith, Thomas Fitzpatrick, William and Milton Sublette, James Bridger, James Clyman, Robert Campbell, David Jackson, Etienne Provost, James Beckwourth, Edward Rose, Hugh Glass, and Mike Fink!

The accomplishments and adventures associated with these names are sufficient to fill at least a small library! Though they came to the mountains for trapping, not mapping, they memorized a quarter of a continent—and flung open a treasure chest of national expansion and development! In their time, for example, Jedediah Smith in a tragically short career and Thomas Fitzpatrick in a

1. Mildred Mayhall, *The Kiowas* (Norman: University of Oklahoma Press, 1962), p. 95. The *Civilizations of the American Indians* series which is published by this press is one of the best sources available to the general reader in the field of Indian tribal history.

2. Robert L. Munkres, “The Road West: Ash Hollow to Fort Bridger,” *The Westerners Brand Book* [Chicago] (February 1971): 90

3. Cited in Dale L. Morgan, *Jedediah Smith and the Opening of the West* (New York: The Bobbs-Merrill Company, Inc., 1953), pp. 19-20.



W. H. Jackson painted this scene of emigrants along the Oregon Trail approaching Chimney Rock in what is today Nebraska.

multifaceted one covered most of the territory bounded by the Missouri River on the east, the Three Forks country of Montana and the Columbia Basin on the north, the Arkansas River on the south, and the Pacific Coast on the west. They were entrepreneurs as well as explorers, managers, and leaders as well as trappers; the firm of Smith, Jackson, and Sublette (William) and the partnership of Fitzpatrick, Bridger, and Sublette (Milton) [called the Rocky Mountain Fur Company] illustrate the point.

In education and literacy they ranged from the eloquent expression of Fitzpatrick to the complete illiteracy of Bridger, and in personality from the grave God-fearing integrity of Jedediah Smith to the murderous savagery of Mike Fink. Some, like Robert Campbell, ended up rich, most others did not; but all were as tough and enduring as the mountains they roamed. Jedediah Smith and Hugh Glass each survived direct combat with the undisputed monarch of the high country—a grizzly bear; Bridger had

a Blackfoot arrowhead dug out of his back at rendezvous by Marcus Whitman; Thomas Fitzpatrick and William Sublette acquired Indian-bestowed sobriquets that reflected an existence something less than tame and gentle—"Broken Hand" and "Cut Face."

They have all been gone for more than a century. But Fort Laramie, Fort Bridger, Fort Vasquez, Jackson Hole, Bridger Pass, Fitzpatrick Wilderness—these names, and a dozen more, still serve as reminders that the mountain men passed this way.<sup>4</sup>

With the decline of the fur trade, the mountain men faded away, to be replaced by tens of thousands of emigrants. And these thousands did what Americans have done since the beginning of the Republic—call upon their

4. The best collection of brief biographies of a number of the participants in the fur trade is LeRoy R. Hafen, ed., *The Mountain Man and the Fur Trade of the Far West*, 10 vols. (Glendale, California: Arthur H. Clark Company, 1965-1972).

government for protection! The result was the creation, after the Civil War, of the Frontier Army. Prior to the Civil War, a several month "patrol" of the Rocky Mountain West by a regiment of dragoons or mounted rifles was deemed sufficient for protective purposes; but the beginnings of a mass migration quickly demonstrated the need for the establishment of regular posts and the enlistment of regular troops.

Where did the troops come from? The answer—they were all volunteers and they came from widely varied backgrounds. Some were immigrants attempting to get a start in the New World by saving part of their army pay *and* by learning a new language. Others were farmers who had been defeated by climate, soil, or recession in the calling of their choice. Some were men whose careers had run afoul of the law; others were ex-soldiers of the Confederacy and the Union doing the only job for which they were trained.

Enlistments ran three to five years in the frontier army. Boredom was endemic, discipline harsh, food not very exciting to poor, and drunkenness, as a result, almost inevitable on payday. With discipline not infrequently bordering on the cruel, it is hardly surprising that desertion was a problem common to all frontier posts.<sup>5</sup>

Some of the officers became famous—Crook, Miles, Sheridan, and Custer, to name a few. But "across the face of the frontier also passed the nameless ones—the thousands of tired and dirty troopers and foot soldiers who patrolled the high plains for 13 dollars a month and who traveled, in the words of a contemporary song, 'Forty Miles a Day on Beans and Hay in the Regular Army Ho!' They filled the air with frequent curses and occasional prayers as they moved to hundreds of skirmish lines at places little known then and mostly forgotten now—watering the buffalo grass with their sweat and blood as they went."<sup>6</sup>

The major group associated with Wyoming's trails was, however, none of these just mentioned. The significance of Wyoming's trails is to be measured not by

the number of beaver "plew" taken or regiments enlisted and deployed, but rather by the number of emigrants seeking a better life that followed such trails, and the number who did was in the tens of thousands.

What they encountered was a terrain unlike anything they had ever previously experienced. From the first view of Laramie Peak perhaps forty miles east of Fort Laramie to the lovely valley where Jim Bridger built his trading post, emigrants were filled with awe and wonder at the natural sites and scenes to which their travel exposed them. But they were also exposed to the full range of difficulties associated with trail travel. Thus, their association with what became Wyoming was from the beginning a continuing combination of good and bad, joy and sorrow, the beautiful and the ugly—like most of life itself.

Emigrant trains pointed into present-day Wyoming from the time they passed the great bluff on the North Platte bearing the name of ill-fated Hiram Scott. By way of Roubidoux Pass (before 1849) or Mitchell Pass, wagons passed "through a sort of gap . . . into the Valley of Goshen which is some 20 miles broad."<sup>7</sup> Thus wrote Theodore Talbot in August, 1843; he went on to note that his party's entrance into this "valley" was not marked by particularly good weather. "We were caught out on the prairie in the evg. by a great rain and hail-storm. We were obliged to stop and just bide its merciless pelting, which from the first hailstone that hits you on the nose, to the last creek meandering down your unfortunate back is any and everything but pleasant."<sup>8</sup>

Weather and climate were continuing problems as "pilgrims" moved on toward one of the principal stops on the high plains portion of the Oregon-California Trail—Fort Laramie. Virgil Pringle (1846) camped a mile from the fort on Monday, June 22, having traveled 15 miles on "a disagreeable day, the wind blowing a tornado and the sand filling the air which continued to increase till midnight, when it abated."<sup>9</sup> This difficulty was not all that unusual. The same spring J. Quinn Thornton (1846) offered this advice: "The emigrant should not fail to prepare for this intolerable dust, by procuring several pairs of goggles for the eyes of each member of his family

5. Don Rickey, Jr., *Forty Miles a Day on Beans and Hay: The Enlisted Soldier Fighting the Indian Wars* (Norman: University of Oklahoma Press, 1963), p. 19. Dr. Rickey also notes that army pay for unskilled labor was, in many instances, better than that which could be earned through civilian employment. For example, "First Cavalryman William Husted said he 'was working in a grocery store for \$2.00 per week—the army paid \$13.00 per month'."

6. Robert L. Munkres, "The Road West: Ash Hollow to Fort Bridger."

7. Theodore Talbot, *Journals* (Portland, 1931), Newberry microfilm 2-11, entry for August 2, 1843.

8. *Ibid.* Unless otherwise indicated, the research materials upon which this article is based were located in the files of the late Paul Henderson of Bridgeport, Nebraska.

9. "Diary of Virgil K. Pringle," as copied from the *Transactions of the Forty-eighth Annual Reunion of the Oregon Pioneer Association*, Portland, July 1, 1920, entry for June 22, 1846.

. . . The want of these goggles . . . is often attended with effects, amounting to much more than a simple inconvenience. The blindness of Mr. McKissick, whom we had met ten miles east of Ft. Laramie, is a example in point."<sup>10</sup>

Most emigrants looked upon Fort Laramie as the last outpost of civilization on the way west. Established in 1834 by William Sublette and Robert Campbell as a fur trading post, the establishment was purchased by the government in 1849 and turned into Fort Laramie. Today one of the National Park Service's "Crown Jewels" of historic preservation and restoration, during the days of trail travel it was a much-anticipated stopping point because of the availability of supplies it afforded, as well as the possibility of sending and receiving communications from those "back home." During its more than fifty years of service, the fort was never the scene of a battle, major or otherwise. The Grattan affair, which took place perhaps fifteen miles east of the post, was the establishment's closest approach to open combat. Even the negotiations for the first treaty with the plains tribes, the Fort Laramie Treaty of 1851, were actually carried out on Horse Creek east of the fort. Indian ponies had thoroughly scavenged all available forage around the fort itself by the time the parlay actually began! Nonetheless, the name "Fort Laramie" came to be synonymous with the frontier itself, largely because of the role it played in the great multi-year mass migration on the Oregon-California Trail. The state of Wyoming can take pride in the role it played in securing this site, thus making possible its preservation for future generations.<sup>11</sup>

Beyond Fort Laramie, trains frequently stopped at Warm Springs so the ladies could take care of laundry. During such stopovers, large numbers of emigrants also availed themselves of the opportunity to record their names on Register Cliff.

Between Register Cliff and the Upper Platte Crossing, wagon train members found the scenery to be exceptionally attractive. William A. Carter (1857), subsequently a long-time resident of Fort Bridger, breakfasted on

"Horse Shoe, a little creek which flows through a beautiful circular Valley . . . the scene picturesque—Laramie Peak is in full view to the south west and Hills covered with pine & cedar almost surround it."<sup>12</sup> Not much farther along the way, the trail left the river because of a natural obstacle, a barrier which was quite impressive to those who were willing to make the effort to view it. Joel Palmer (1845) described it as "the Dalles of the Platte, where the river bursts through a mountain spur. Perpendicular cliffs rising directly from the edge of the water, 500 or 600 feet high from the left bank of the river. . . . The most interesting feature of these magnificent masses, is the variety of colors that are presented: yellow, red, black and white, and all the shades between as they blend and are lost in each other."<sup>13</sup> "The scenery surpasses, for grandeur, sublimity and peculiarity, anything we have yet seen on the road" wrote Celinda Hines in late June, 1853.<sup>14</sup> And it was not just the Canyon of the Platte (by which name it was also known) that impressed her. "We went to the top of the bluff," where she observed "several miles of the road with teams and camps. The river and its various windings with its valley and bluffs on either side. Laramie Peak in the distance with its snow-capped crest was before us in all the grandeur of which a landscape can be possessed . . ."<sup>15</sup> It is no wonder that Miss Hines was moved to exclaim "How grand, how magnificent."<sup>16</sup>

Emigrants continued to be captivated by the scenery at least until they reached the point at which they left the North Platte River for good. La Bonte, La Prele, Box Elder, and Deer creeks all generated their share of comments from the westering wayfarers, as the following diary excerpts illustrate.

WILLIAM G. JOHNSTON (1849): The scenery was grand along the line of march; the mountain chain with its succession of peaks was very picturesque, but barrenness and desolation were striking characteristics . . . Our camp was on LaBonte River, a small mountain stream.<sup>17</sup>

10. J. Quinn Thornton, *Oregon and California in 1848* (New York: Harper and Brothers, 1864), entry for July 7, 1846. Hereafter referred to as J. Quinn Thornton.

11. Perhaps the classic history of the post is Leroy R. Hafen and Francis Marion Young, *Fort Laramie and the Pageant of the West, 1834-1890* (Glendale, California: Arthur H. Clark Company, 1938; reprint ed., Lincoln: University of Nebraska Press, 1984). See also Merrill Mattes, "The Crusade to Save Fort Laramie," *Annals of Wyoming* 50 (Spring 1978): 5-57.

12. "Diary of Judge William A. Carter: Describes Life on the Trail in 1857," *Annals of Wyoming* 11 (April 1939): 98. Hereafter referred to as W. A. Carter.

13. Joel Palmer, *Journal of Travels Over the Rocky Mountains* (Cincinnati: J. A. James, 1847; reprint ed., Fairfield, Washington: Ye Galleon Press, 1983), p. 27. Hereafter referred to as Joel Palmer.

14. "Celinda Hines: Life and Death on the Oregon Trail," in Kenneth L. Holmes, ed., *Covered Wagon Women: Diaries & Letters from the Western Trails 1840-1890*, vol. XI (Glendale, California: The Arthur H. Clark Company, 1986), p. 96.

15. *Ibid.*

16. *Ibid.*

PHOEBE G. JUDSON (1853): We reached La Bonta Creek on Saturday, a little before sundown, and made our encampment on its banks, among the cottonwood trees, one of the most charming spots of the whole route, where we found good water, grass and wood—which was greatly appreciated.<sup>18</sup>

RICHARD M. MAY (1848): (Passing La Prele Creek) Today decidedly the richest scenery surrounded us that we had the pleasure of seeing on the journey.<sup>19</sup>

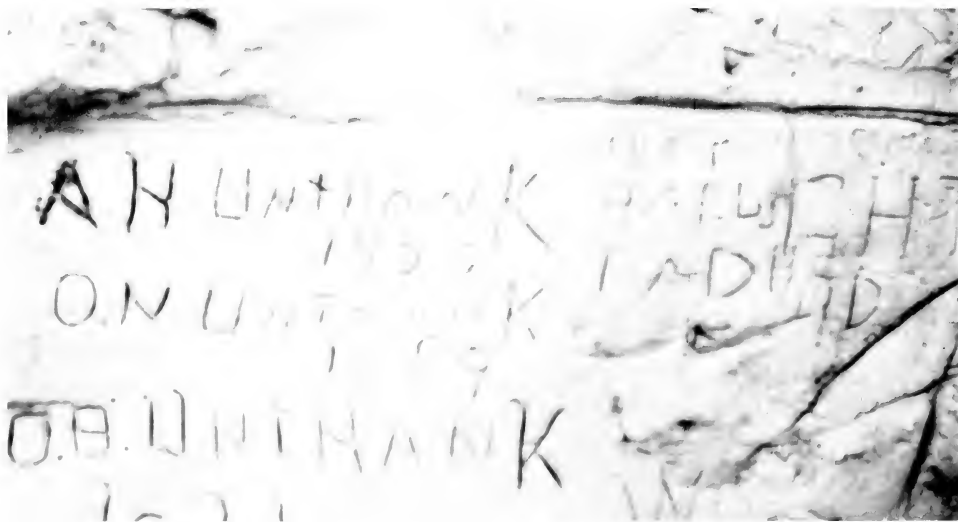
ORSON PRATT (1847): We encamped to-night on the right bank of a creek about 24 feet wide, called "A la Parele." The grass on the bottoms of this stream is very good . . . Just above the camp this stream runs through a mountain, which forms a natural bridge.<sup>20</sup>

JOHN R. MCGLASHAN (1850): Kept on till we came to Deer Creek, a beautiful stream, well wooded and abounding with mountain or speckled trout.<sup>21</sup>

Of course, many things happened (and had happened) beside and near these attractive mountain streams. Deer Creek, for instance, eventually became, for a time, the western most location for the Upper Platte Indian Agency. It was also the location of the telegraph station from which John "Portugee" Phillips first notified the commander at Fort Laramie of the Fetterman "Massacre" at Fort Phil Kearny on December 21, 1866.<sup>22</sup> And not infrequently tragedies or near tragedies befell the emigrants themselves. Two examples, both events occurring near Box Elder Creek, will suffice for illustrative purposes.

On June 22, 1853, the party to which Mrs. Belshaw belonged left their camp at Box Elder. Being unable to find grass for the team, they stopped at noon for dinner.

17. Wm. G. Johnston, *Experiences of a Forty Niner* (Pittsburgh: 1892), p. 128. Microfilmed by Library of Congress. Hereafter referred to as Wm. G. Johnston. The name of the stream is accounted for by George Keller: "This stream is so called, from a hunter and trapper of the same name, whose companions were killed, and his wife Yute-chil-co-the (the reed that bends), carried away captive by the Arapahoes." George Keller, *A Trip Across the Plains* (Massilon: 1851), entry for Monday, May 6, 1850, Newberry microfilm 2-13. Hereafter referred to as George Keller.
18. Phoebe G. Judson, *A Pioneer's Search* (Bellingham, Washington: 1925), p. 4, Newberry microfilm 2-30. Mrs. Judson's reaction to her surroundings was greatly influenced by the fact that "The Sabbath dawned most serenely upon us, a bright, lovely morning, the twenty-sixth of June. I am certain of the date, for the day was made memorable to me by the birth of a son."
19. Richard M. May, "A Sketch of a Migrating Family to California," entry for July 1, 1848. Hereafter referred to as Richard M. May.
20. "Interesting Items Concerning the Journeying of the Latter Day Saints from the City of Nauvoo, Until Their Location in the Valley of the Great Salt Lake," entry for June 9, 1847, extracted from the "Private Journal of Orson Pratt," in *The Latter-Day Saints' Millennial Star*, April 15; May 1; June 1, 1850. Hereafter referred to as Orson Pratt.
21. "Overland Journal of John M. McGlashan," entry for May 19, 1850. Hereafter referred to as John M. McGlashan.
22. The best analytical description of this famous ride is Robert A. Murray, "The John 'Portugee' Phillips Legend, A Study in Wyoming Folklore," *Annals of Wyoming* 40 (April 1968): 41-56.



A. H. Unthank carved his name in Register Cliff in eastern Wyoming in 1850. He had left Fort Wayne, Indiana, hoping to travel to California along the Oregon Trail.

While the adults were eating, two seven-year-old boys, William Belshaw and Charles, "started to get a horse. William left Charles to return to the wagon. Charles could not see the wagon, he took the wrong road and got lost. We missed him in about 1/2 hour, made inquiry but could hear nothing of him. Between 30 and 40 people were out hunting him, but no Charles to be found. Continued the search till sunset."<sup>23</sup> Fortunately for all concerned, "a man came to our wagon at sunset with the news that the child was safe in a camp nine miles from us . . . They took him in and treated him kindly while we were searching the rocks and ravines thoroughly."<sup>24</sup>

Captain Albert Tracy provides the second example, this one a genuine tragedy.

It was at Box Elder . . . that a party found by a jury of his fellow-citizens to be guilty of mule-stealing, had been summarily executed, by hanging—a couple of wagon

tongues, elevated from their front wheels, and lashed at top, forming the neat and sufficient derick, or gallows, whereon to do the judgment—the culprit depending at the end of a lariat, as a species of central figure, between the two outer lines of an isosceles triangle.<sup>25</sup>

It was for a very good reason that Merrill Mattes titled his seminal work on the trails *The Great Platte River Road*. A glance at a map shows how faithfully the trail followed a series of rivers. The first reason for this relationship was, of course, the simple topographic fact that rivers will find the easiest (and sometimes the only) pathway through particular terrain. Secondly, of course, rivers provide a ready supply of water; perhaps the water was not always the most palatable, but it was life-giving nonetheless. The country beyond the 100th meridian, roughly the forks of the Platte, was marked by a decided drop in annual rainfall; river water, thus, became even more important. Furthermore, what little timber was available (except in the mountains) was on river banks.<sup>26</sup> Except for occasional driftwood, this source of wood was, of course, almost completely appropriated by those traveling early in the season.

Rivers were a boon, but there was a price to be paid for following them—eventually some of them had to be crossed! Most emigrants had already had some experience with the difficulties and dangers associated with river crossing. Many had forded the South Platte in western Nebraska before joining the North Platte at Ash Hollow. Some forded at or near Fort Laramie, and most either forded or ferried across the North Platte at the Upper Platte Crossing.



*A week after he passed Register Cliff, A. H. Unthank died from cholera. His grave is a few miles east of Glenrock.*

23. "Diary Kept by Mrs. Maria A. (Parsons) Belshaw, 1853," entry for June 22, 1853, copied from "New Spain and the Anglo-American West," pp. 219-243. Hereafter referred to as Mrs. Belshaw.

24. *Ibid.*

25. "The Utah War: Journal of Capt. Albert Tracy, 1858-1860," *Utah Historical Quarterly* 13 (January, April, July, October 1945): 109. Of course, not all events, even though accidents, had such drastic results. Wm. G. Johnston, for example, thought to do his laundry at Deer Creek. Having forgotten his soap, he placed "the garments in the stream, . . . [securing] them with care by putting on top some boulders of goodly size and then went up to the camp for soap. On my return I discovered what might be thought to be a hole in the wash tub, for a considerable part of the clothes was gone. It was loss not easily to be borne, but there remained, nevertheless, some consolation; disliking laundry work, I had less of it to perform." Wm. G. Johnston, p. 132.

26. The "timber" was frequently cottonwood, an excuse for timber poor enough to constitute presumptive evidence that the Deity has a sense of humor!

In the absence of ferries, earlier travelers had some times constructed their own means of getting equipment and property across rivers. Two years before Campbell and Sublette established their post on the banks of the Laramie, John Ball's party (1832) got themselves and their goods across that stream through the use of rafts and "bull boats." The composition and structure of the latter was the subject of the following entry in Mr. Ball's journal.

A "bull boat" is made of willow branches twelve or fourteen feet long, each about one and one half inches at the butt end. These ends were fixed in the ground in converging rows at proper distances from each other, and as they approached nearer the ends the branches were brought nearer together and bound firmly together like ribs of a great basket; and then they took other twigs of willow and wove them into those stuck in the ground so as to make a sort of firm, long, huge basket. After this was completed they sewed together a number of buffalo skins and with them covered the whole; and after the different parts had been trimmed off smooth, a slow fire was made under the "bull boat", taking care to dry the skins moderately; and as they gradually dried and acquired a due degree of heat they rubbed buffalo tallow all over the outside of it so as to allow it to enter into all the seams of the concern, now no longer a willow basket. As the melted tallow ran down into every seam, hole, and crevice, it cooled into a firm body, capable of resisting the water and bearing a considerable blow without damage. Then the willow-ribbed buffalo skin tallowed vehicle was carefully pulled from the ground—behold! a boat, capable of transporting men, horses, and goods over a pretty strong current.<sup>27</sup>

Few subsequent travelers gave the details of boat-building as recorded by Ball. Asahel Munger (1839), for example, noted simply that "We are now at the point where we cross the Platt, arrived here at 12 o'clock—commenced building two boats. These boats are made of poles tied together, and covered with Buffalo skins."<sup>28</sup>

Crossing rivers frequently involved a combination of ferrying (where such a service was available) and fording. Wagons and people usually crossed by boat, but animals normally were required to ford the river under their own power because of the expense involved in using the ferry. "Fare is 5 dollars a wagon and one for a horse or an ox. There has been a number of men drowned this season by fording to save cost," wrote Robert Chalmers in June, 1850.<sup>29</sup> Mr. Chalmers also provides us with a succinct description of the manner in which the ferry worked.

"The scows are sent to and fro by the current. They have a rope stretched across the river and a rope from it to each end of the scow, the slack of the stern and the current drives it across. We swim the oxen and ferry the wagons."<sup>30</sup> Crossing the North Platte a year earlier, Wm. G. Johnston observed another facet of ferry boat operation. "The ferry-boat, constructed of logs covered with slabs of wood, was propelled with long poles" he wrote, adding "It was only of sufficient size to accommodate one wagon at a time, with as many men as it was thought safe to carry in addition. The mules and horses swam across."<sup>31</sup>

The ferry over the upper North Platte was operated by Mormons during many of the principal years of trail travel. In view of the difficulties experienced by members of the Church of Jesus Christ of Latter Day Saints in their relationships with "Gentiles" in such places as Carthage and Nauvoo, perhaps the reaction of Oregon Trail emigrants is worth mentioning. The Wm. G. Johnston (1849) whose description of the ferry was noted above prefaced that description with the following observation: "Contrary to expectation, based upon the common reputation of these Latter-Day Saints, we found those in charge of the ferry men of respectable appearance, well informed, polite, and in every way agreeable."<sup>32</sup> Richard May's remarks were much briefer, but to much the same point. Writing on July 6, 1848, he noted simply that "The Mormons who are stationed here (4 in number) are quite intelligent and manly."<sup>33</sup>

Shortly after fording or ferrying the North Platte, wagon trains left the river for good. "At the Red Buttes," wrote David R. Leeper (1849), "we took final leave of the Platte which had so long borne us company. It was still a considerable stream, being several hundred yards wide, with a deep and rapid current."<sup>34</sup> Red Buttes as a landmark evoked varying levels of reaction. In June, 1849, for instance, Wm. G. Johnston (1849) described

29. Charles Kelly, ed., "The Journal of Robert Chalmers April 17-September 1, 1850," *Utah Historical Quarterly* XX (January 1952): 43. Hereafter referred to as Robert Chalmers.

30. Robert Chalmers, pp. 42-43.

31. Wm. G. Johnston, p. 135.

32. Wm. G. Johnston, p. 134.

33. Richard M. May, entry for July 7, 1848.

34. David R. Leeper, *Argonauts of 'Forty-Nine* (South Bend: 1894), Newberry microfilm 2-1. No date or page number given. Hereafter referred to as David R. Leeper.

27. "Across the Continent Seventy Years Ago: Extracts from the Journal of John Ball of His Trip Across the Rocky Mountains, and His Life in Oregon, Compiled by His Daughter," copied from the *Oregon Historical Quarterly* III (February 27, 1949): entry for June 12, 1832. Hereafter referred to as John Ball.

28. Diary of Asahel Munger and wife, entry for June 20, 1839.



Red Buttes as “distinguishing landmarks, composed of great piles of red sandstone . . .”<sup>35</sup> Two years earlier, however, Elizabeth Dixon Smith (1847) dismissed the topographic feature as being “nothing more than a red side hill. The earth is red.”<sup>36</sup>

As trains headed for the Sweetwater River, part of the way of passage was as rough as the name bestowed upon one portion of terrain. Rock Avenue “was a curiosity,” wrote Amelia Hadley (1851), “one which I cannot describe any more than for you to look at some quarry.”<sup>37</sup> “here are ledges,” she continued, “which look as though some one had cut the stone square and layed them up in a wall.”<sup>38</sup> Whence came the designation “Rock Avenue”? Mrs. Hadley had at least a tongue in cheek answer: “I can tell you how it came, here is where the Free Massons done their first work (now you know).”<sup>39</sup>

After passing Rock Avenue, where “the rocks form a gateway through which the road passes . . . (and) High rock ridges present themselves on the right; those on the left are not so high,” trains such as that of Mrs. Velina A. Williams (1853) frequently camped at Willow Springs.<sup>40</sup> In the early part of the travel season, parties such as that of Wm. G. Johnston (1849) found the water of the springs to be “delightfully cool and refreshing, while around we found excellent grass for the animals.”<sup>41</sup> “Wood was wanting,” he admitted, “but as a substitute we used wild sage, the dead limbs of which afford an admirable fuel, burning briskly.”<sup>42</sup> Richard May (1848) concurred, noted he believed that the water Willow Springs provided “is good water as I have seen on the road.”<sup>43</sup>

Of course, not everyone had such a positive reaction; C. W. Smith (1850) was among them: “At sundown we came from a stream which comes from what are called Willow Springs . . . This being a general stopping place, the grass is poor. The stream is small and the valley narrow. On the upland there is no vegetation worth mentioning, except wild sage, which grows in stunted clumps all over the country.”<sup>44</sup> Sarah Sutton (1854) had even less reason to be impressed, at least with the people in the immediate vicinity. “here was a thief,” she recorded, “shot in the back, dead, while on a stolen horse, by the owner in pursuit of him.”<sup>45</sup>

William Marshall Anderson left Red Buttes on June 4, 1834, and started toward the Sweetwater Valley.<sup>46</sup> By the time he had moved well into the valley, his reaction to the terrain was matched time and time again by those who followed him. “The fact of the country from the Red Buttes on the Platte to the Sweetwater, and from thence to the main Colorado, is barren in the extreme; it is sand and nothing but sand. In fact, except the bottoms, margining the streams up which we traveled from the Kaw west there is no soil visible. It is one immense desert; a true American ‘Sahara’ . . .”<sup>47</sup> A day later, remembering country much farther east, he mused, “How I long for a timbered country. In a thousand miles I have not seen a hundred acres of wood. All that comes near to aborification is a fringe of cottonwood and willows along the banks of creeks and rivers. These everlasting hills have an everlasting curse of barrenness.”<sup>48</sup> Sixteen years later, Orson Pratt’s (1847) reaction was perhaps a bit less poetic, but he was, nonetheless, not particularly impressed.

The river seems to hug the base of the hills on the north, and although its general course is to the east, its short and frequent meanderings give it a serpentine appearance; its average breadth is about 60 feet, its average depth about 4 feet, with a rapid current; its bottom consists of fine sand

35. Wm. G. Johnston, p. 136.

36. “The Diary of Elizabeth Dixon Smith,” in Holmes, *Covered Wagon Women*, vol. I, p. 126. Hereafter referred to as Elizabeth Dixon Smith.

37. “Amelia Hadley: Journal of Travails to Oregon,” in Holmes, *Covered Wagon Women*, vol. III, p. 76. Hereafter referred to as Amelia Hadley.

38. *Ibid.*

39. *Ibid.*

40. Mrs. Velina A. Williams, “Diary of a Trip Across the Plains in 1853,” copied from the *Transactions of the Forty-Seventh Annual Reunion of the Oregon Pioneer Association* (Portland, Oregon: Chausse-Prudhomme Co., Printers, 1922), entry for July 14, (1853).

41. Wm. G. Johnston, p. 137.

42. Wm. G. Johnston, p. 137. Johnston goes on to note, however, that “A drawback to their use is that they send forth great volumes of blinding smoke, particularly damaging to the eyes of the cook.”

43. Richard M. May, entry for 10th.

44. C. W. Smith, *Journal of a Trip to California in the Summer of 1850*, R.W.G. Vail, ed. (Manchester, New Hampshire: Standard Book Company), entry for June 6, 1850. Hereafter referred to as C. W. Smith.

45. “Sarah Sutton: A Travel Diary in 1854,” in Holmes, *Covered Wagon Women*, vol. VIII, p. 49. Hereafter referred to as Sarah Sutton.

46. Albert J. Partoll, ed., “Anderson’s Narrative of a Ride to the Rocky Mountains in 1834,” *Frontier and Midland*, 19 (Autumn 1938): 57. Marshall described the “long-wished-for [Red] Buttes [as] two isolated hills, covered with a lake-colored earth or paint.” Hereafter referred to as William Marshall Anderson.

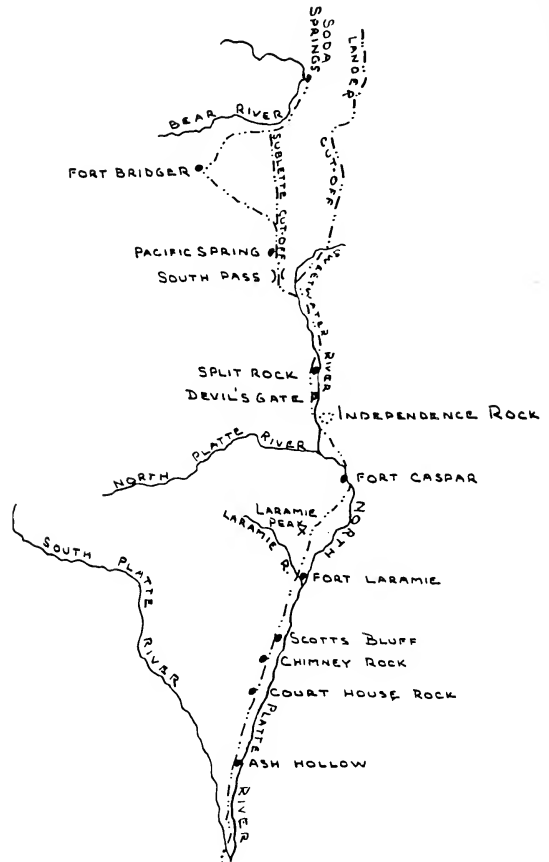
47. William Marshall Anderson, p. 59.

48. William Marshall Anderson, entry for June 12, 1834.

and gravel, while the bottom land for a few rods upon each bank generally affords sufficient grass for the emigrants; but the rest of the plain, for several miles in width, is of a sandy, barren, sterile aspect, with scarcely any vegetation but artemesia or wild sage, which seems here to flourish in great abundance, growing in places to the enormous size of 8 or 10 inches in diameter, and 8 or 10 feet in height. There is no timber upon the Sweet Water, and we are dependent altogether upon the drift wood, buffalo excrement, and artemesia, the latter burns extremely well, with a clear bright flame.<sup>49</sup>

Everything considered, however, travel “along the valley of the Sweetwater for about one hundred miles to the South Pass” was described by David Leeper (1849) in terms acceptable to most emigrants: “The valley or gateway is from ten to twenty miles wide. The surface is undulating, occasionally mounting into hills, and the ascent so gradual that we were scarcely aware when the culmination was reached and passed. The bottoms were fairly supplied with grasses; but the uplands were dominated by the now well-nigh ever-present sage-brush.”<sup>50</sup> Another facet of travel almost universally experienced by wayfarers was duly noted by Edwin Bryant in 1846. “The atmosphere is filled with swarms of mosquitos,” he wrote, then added the warning that they “bite with a fierceness far greater than there civilized brethren of the ‘settlements’.”<sup>51</sup>

About sixty miles into the Sweetwater Valley emigrants encountered two of the most famous landmarks on the Oregon-California Trail—Independence Rock and Devil’s Gate. “Christened” by William Sublette on July 4, 1830, Independence Rock was and is a huge chunk of granite sitting by itself on the plain next to the Sweetwater River—6,029 feet above sea level; 136 feet above terrain; circumference of 5,900 feet; mass covers 24.81 acres.<sup>52</sup>



The route of the Oregon Trail through western Nebraska and Wyoming.

49. Orson Pratt, entry for June 22, 1847. Pratt also noted, however, that the “mountainous aspect of the country is certainly very picturesque and beautiful.”

50. David R. Leeper.

51. Edwin Bryant, *What I Saw in California: Bring the Journal of a Tour, by the Emigrant Route and South Pass of the Rocky Mountains, Across the Continent of North America, the Great Desert Basin, and Through California, in the Years 1846, 1847* (Minneapolis: Ross & Haines, Inc., 1967), p. 128. Hereafter referred to as Edwin Bryant.

52. J. Cecil Alter, *Jim Bridger* (Norman: University of Oklahoma Press, 1962), p. 111. The date of the naming of Independence Rock is still controverted, though most scholars agree the year of naming was either 1829 or 1830. The late Paul Henderson provided the data on Independence Rock’s physical dimensions.

John Ball (1832) likened it to “a big bowl turned upside down, in size about equal to two meeting houses of the old New England style,”<sup>53</sup> while to John Boardman (1843) it seemed “long and oval, and appears as if cemented together with cast iron.”<sup>54</sup>

Independence Rock was not simply a huge landmark, however. To mountain men and emigrants alike it served another purpose. Here, according to William Marshall Anderson (1834), “they look for and obtain information of intense interest to them. On the side of the rock names, dates, and messages, written in buffalo-grease and powder, are read and re-read with as much eagerness as if they were letters in detail from long absent friends.”<sup>55</sup>

The great stone formation was thus “a place of advertisement, or kind of trapper’s post office,” possessing in addition “a reputation and a fame peculiar to itself.”<sup>56</sup>

It was here that Lansford Hastings, later the “founder” of the cut-off bearing his name that contributed so heavily to the tragedy which befell the Donner Party, and a companion named Lovejoy were trapped by a war party of Sioux when they stayed behind to finish carving their names. Things were very tense until the guide/pilot of the group, Thomas Fitzpatrick, talked the Sioux into releasing the men.<sup>57</sup>

Lydia Milner Waters (1855) experienced other difficulties here—and little Frankie Shedd (1864) came to the end of his western trek on what, for his family, was a tragic July 4. Mrs. Waters was driving her wagon when one of the men “took a heavily loaded gun . . . out of the wagon,” but was unable to get a shot at an antelope so he “put the gun back in the bow of the wagon, and left it cocked.”<sup>58</sup> “In moving, the skirt of my dress caught the hammer of the gun,” continued Mrs. Waters, “off it went . . . luckily the whole charge raked only one side of the horses. They broke loose and ran away.”<sup>59</sup> “The wagon cover caught fire, and no water was immediately available. While someone else ran forward to get water, Mrs. Waters, thinking fast, remembered “the leaves in the teapot, and filling my hands with them patted on the fire. The wind was very strong, but I almost had it out when the water came.”<sup>60</sup> The horse “we called Sam was well peppered, and the slugs did not all work out until five months afterward. My hands were so scorched that they did not get well for two months.”<sup>61</sup>

Two-year-old Frankie Shedd (1864) took sick at about the time his train left the Platte. He died the night they camped at Independence Rock. “The next morning his father made a very neat coffin as he was a good carpenter and in the afternoon they had the funeral, which was on Independence Day. On the fifth we resumed our journey . . .”<sup>62</sup>

Fifteen years earlier, David Leeper’s party (1849) celebrated July 4 at Independence Rock, using “the river water for camp purposes during our stopover for the patriotic exercises.”<sup>63</sup> “Imagine our chagrin and disgust,” he went on, “when soon after breaking camp the next morning, we discovered the putrid carcass of an ox steeping in a brook that discharged into the river a short distance above where we had been using the water.”<sup>64</sup>

Approximately five miles beyond Independence Rock, wagon trains went around a mountain spur, while the Sweetwater River itself had carved a way of passage through a gorge which had come to be known as Devil’s Gate. “At this point, the walls are four hundred feet in perpendicular height,” noted George Keller (1850).<sup>65</sup> He went on to add, however, that “The scenery is fearfully grand—the water roaring at your feet—the naked walls of rock apparently almost meeting, above you, while large pieces seem ready, from the slightest cause, to be detached from the parent mass, and crush you in their descent.”<sup>66</sup> Seven years later, O. H. O’Neill (1857) concurred. “It is difficult to imagine a more sublime scene than is here presented,” he wrote, with “The stream foaming through the chasm and over beneath the numerous fragments of granite. The towering cliffs and the surrounding solitude are all calculated to produce a feeling of awe.”<sup>67</sup>

Sarah Sutton (1854) thought a Biblical reference appropriate as “. . . we came to what is called the Devil’s gate. The high mountains, like the Red Sea, had fled back, not to let the Israelites pass through, but to let sweet water run through.”<sup>68</sup> There were trader’s here to serve the living, and graves to mark the departure of loved ones, and

53. John Ball, p. 5.

54. “The Journal of John Boardman: An Overland Journey from Kansas to Oregon in 1843,” *Utah Historical Quarterly*, 2 (October 1929): 104-105. Boardman also gives the lie to the notion that emigrants traveled largely isolated from contact with any humans other than members of their own party. From the top of Independence Rock, he saw “an extended plain with a small stream meandering through it; while in view, at 3 encampments, consisting of 120 wagons, with their 700 or 800 animals feeding, and in the distance the wild buffalo feeding at their leisure.”

55. William Marshall Anderson, p. 58.

56. William Marshall Anderson, p. 58.

57. A. J. Allen, *Thrilling Adventures of Dr. Elijah White* (New York: 1859), Newberry microfilm 3-25, letter dated Fort Hall, August 15, 1842.

58. Lydia Milner Waters, “Account of a Trip,” *Quarterly of Society of California Pioneers*, Newberry microfilm 3-14.

59. Waters, “Account of a Trip.”

60. Waters, “Account of a Trip.”

61. Waters, “Account of a Trip.”

62. Emaline F. Hobart, “An Account of the Fletcher’s Crossing of the Plains,” copied from the typed copy belonging to Miss Lorraine Fletcher, 4638 S.W. Luradel Avenue, Portland 19, Oregon.

63. David R. Leeper, entry for July 4, 1849.

64. David R. Leeper, entry for July 4, 1849.

65. George Keller, p. 18.

66. George Keller, p. 18.

67. “A Portion of the Travel Journal Kept by O. H. O’Neill of the Fort Kearney, South Pass & Honey Lake Wagon Road Expedition, Under W. F. McGraw 1857,” entry for “Sept. 17, 1857. Camp. No. 59.”

68. Sarah Sutton, p. 50.

some perhaps not so loved. Seventeen-year-old Eliza Ann McAuley (1852), for example, "saw the graves of Mrs. Cole's and Mrs. Dart's babies, two sisters, acquaintances of our, on their way to Oregon" between Independence Rock and Devil's Gate.<sup>69</sup> By way of comparison, eight days earlier a man named Prouty "was seized with the cholera and died and was buried at Devil's Gate."<sup>70</sup> Prouty, it seems, "had been the cause of a husband and wife separating . . . but through the persuasion of some of our company they were made to drop it and live together again."<sup>71</sup> It is apparent that the diarist, Richard Owen Hickman (1852), felt that a rough sort of justice had been served by Prouty's demise and burial at a place named after the Prince of Darkness!

As wagon trains moved farther up the Sweetwater, their next major goal was the Continental Divide at South Pass. Split Rock, the ice springs (or slough), Rocky Ridge and the Aspen Grove were approached, observed and passed by, each in their turn. Split Rock was already in full view as wagons came abreast Devil's Gate. Described by W. A. Carter (1857) as "a remarkable cleft in the top of the mountain which can be seen at a great distance from either direction," it was the only landmark other than Laramie Peak that stayed in view for days on end.<sup>72</sup>

The Sweetwater was a winding river to say the least, its topographical configuration requiring emigrant parties to cross it nine times all told! And the crossings were not evenly spaced. "June 27 . . . Went 18 miles . . . Crossed 1 creek and forded the river three times" wrote Robert Chalmers in 1850.<sup>73</sup> It is not surprising that this stretch of the journey quickly came to bear the title "Three Crossings."

The Ice Springs usually provided a welcome respite if the late spring, early summer or late summer was uncomfortably warm, or perhaps downright hot! "Thursday June 19 . . . passed ice springs today about 2 yards to the right of the road," reported Amelia Hadley (1851), "here you can obtain pure ice by digging down to the depth of 4 to 6 inches dug down and got some there is a solid cake of ice as clear as any I ever saw and more so cut a piece as large as a pail and took and rapt it in a blanket, to take along . . ."<sup>74</sup> Two years later, on July 4, a member of Mrs. Belshaw's party "only dug eight inches, and

found ice as clear and beautiful as ever was seen."<sup>75</sup> She went on to note how odd it was that "A short distance from the ice is water warm enough to wash dishes in."<sup>76</sup> If the immediate juxtaposition of ice and warm water was not unusual enough, Major Osborne Cross (1850) added the further item of information that the bog where ice could be found "is in a plain or small sandy valley, and exposed to the direct rays of the sun."<sup>77</sup> As with Rock Avenue and Willow Springs, now miles behind them, travelers once again found difficult terrain and desirable camp sites in close proximity. Rocky Ridge, according to the Reverend Edward Evans Parrish (1844), "is said to be the very worse we shall meet, with long, winding, steep hills, one after another, over worst rocks and loose stones . . ."<sup>78</sup> By noon, however, Parrish and his party had arrived "at the quaking asp grove," where they found "the first of this kind of timber that I have met with since I left Ohio, and it is the first grove of timber of any kind except willows we have met with since we left the Platte, a distance of between one and two hundred miles."<sup>79</sup>

Now the Continental Divide was close at hand. South Pass was named in reference to the pass far to the north used by Lewis and Clark. A viable route for wheeled vehicles across the Continental Divide, it had been effectively discovered in 1824 by Jedediah Smith and Thomas Fitzpatrick.<sup>80</sup> Without it there would have been no Oregon-California Trail, not, at least, as we know it today.

75. Mrs. Belshaw, entry for July 4, 1853.

76. Mrs. Belshaw, entry for July 4, 1853.

77. Raymond W. Settle, ed., *The March of the Mounted Rifleman: First United States Military Expedition to Travel the Full Length of the Oregon Trail from Fort Leavenworth to Fort Vancouver May to October 1849 as Recorded in the Journals of Major Osborne Cross and George Gibbs and the Official Report of Colonel Loring* (Glendale, California: The Arthur H. Clark Company, 1940), entry for July 14, 1850. Hereafter referred to as Major Osborne Cross.

78. "Crossing the Plains in 1844, Diary of Rev. Edward Evans Parrish," copied from *Transactions of the Oregon Pioneer Association Sixteenth Annual Reunion* (Portland, Oregon: Hines Printer, 1888), entry for August 22, 1844. Hereafter referred to as E. E. Parrish.

79. *Ibid.* Thomas Flint (1853) instructs us on the origin of the name: "Camped on Quaking Asp Creek, so called from the species of poplars on its banks, the leaves of which move in the slightest breeze." Thomas Flint, *Diary* (Los Angeles: 1923), Newberry microfilm 2-25, entry for August 11, 1853.

80. Robert Stuart and his party, returning from Astoria in the winter of 1812-1813 were the first White men to cross South Pass. Their circumstances were such, however, that they were not truly aware of where it was or what significance attached to it. For further information about the Astorians, see Alexander Ross, *Adventures of the First Settlers on the Oregon or Columbia River, 1810-1813* (Cleveland, Ohio: A. H. Clark, 1904; reprint ed., Lincoln: University of Nebraska Press, 1986).

69. "Eliza Ann McAuley: Iowa to the 'Land of Gold,'" in Holmes, *Covered Wagon Women*, vol. IV, p. 59.

70. Richard Owen Hickman, p. 11.

71. Richard Owen Hickman, p. 11.

72. W. A. Carter, p. 103.

73. Robert Chalmers, pp. 43-44.

74. Amelia Hadley, p. 79.



Many Wyoming communities erected memorials to those who journeyed along the Oregon Trail.

The appearance of South Pass hardly matched its historical significance. "A person looking round him here," observed John Carr (1850), "would hardly think that he was standing on the backbone of a continent."<sup>81</sup> Seven years later, W. A. Carter (1857) went into greater descriptive detail. "What is called the Pass in the Rocky Mountains is not as most persons suppose, a narrow pass-way through frightful overhanging mountains with wild streams dashing down their acclivities, but on the contrary it is a scarcely perceptible ascent, and when the summit is reached the traveller is not aware of it and frequently asks where is the pass?"<sup>82</sup> "The general supposition is," concurred Edwin Bryant (1846) "that it is difficult and narrow passage by steep ascent and descent, between elevated mountain peaks."<sup>83</sup>

This conjecture is far from the fact. The gap in the mountains is many miles in breadth, and . . . the ascent up the Plate and Sweet-water has been so gradual, that although

the elevation of the Pass above the sea is, according to some observations, between seven and eight, and others, nine and ten thousand feet, yet from the surface we have travelled over, we have been scarcely conscious of rising to the summit of a high ridge of mountains.<sup>84</sup>

Among the more accurate estimates of "The distance of this Pass from Fort Laramie" was that of Orson Pratt (1847), who reported it as being "measured by our mile machine . . . 275 1/2 miles."<sup>85</sup> With some frequency, parties camped or "nooned" at the first water available on the western slope. It is hardly surprising that the site was, according to John M. McGlashan (1850), named "Pacific Springs, the water of which form a small tributary of the Colorado flowing into the gulf of California."<sup>86</sup>

Now there were a series of rivers to cross—Little Sandy, Big Sandy, and then Green River. "encamped on the little Sandy river," Elizabeth Dixon Smith (1847) noted that her party was "2 days journey in the Territory of Oregon."<sup>87</sup> Most emigrants felt they had gained at least the outer reaches of Oregon when they crossed South Pass.

The characteristics of Little Sandy were, apparently, quite changeable or were very different from one part of the river to another. The assessments of Edwin Bryant (1846) and J. Quinn Thornton (1846) illustrate the point. On July 13, Mr. Bryant described Little Sandy as having "a shallow, limpid current, running over a bed of yellowish sand and gravel, through a channel about fifteen or twenty feet in breadth."<sup>88</sup> Not quite a full week later, on July 19, Mr. Thornton "encamped on Little Sandy, which is a small stream of clear water, about three feet deep, and forty or fifty feet wide, running with a swift current over a sandy bottom, and finally discharging itself into the Colorado, or Green River."<sup>89</sup>

Big Sandy was described by Orson Pratt (1847) as being "about 80 yards broad, with nearly 3 feet of water in the channel at the ford."<sup>90</sup> Two years later, on "Tuesday, June 12," Wm. G. Johnston (1849) "forded another

81. John Carr, *Pioneer Days in California* (Eureka, California: 1891). Newberry microfilm 3-28.

82. W. A. Carter, p. 107.

83. Edwin Bryant, p. 132.

84. Edwin Bryant, pp. 132-133.

85. Orson Pratt, p. 150.

86. John M. McGlashan, entry for May 27, 1850.

87. Elizabeth Dixon Smith, p. 127.

88. Edwin Bryant, p. 134. Mosquitos were still very much a problem! According to Bryant, they "manifest an almost invincible courage and ferocity. We were obliged to picket our mules and light fires, made of the wild sage, around and among them, for their protection against the attacks of these insects."

tributary of Green River, called the Big Sandy—apparently not bigger than the one called ‘Little’.”<sup>91</sup>

Near Big Sandy, emigrants had a choice to make, for here, according to the same Wm. Johnston, “the trail forks, one branch going northwest via Sublette’s cut-off, and the other to Fort Bridger and Salt Lake, and from thence northwest until it strikes the trail leading westward from Fort Hall.”<sup>92</sup> Also known as “Greenwood’s cut-off” after old Caleb who had, in fact, been the first to mark it, this route “is said to shorten the distance on the Fort Hall route to Oregon and California some fifty or sixty miles,” according to Edwin Bryant (1846), but the “objection to the route is that from Big Sandy to Green River, a distance of forty-five or fifty miles, there is no water.”<sup>93</sup>

At flood tide, Green River appeared to Wm. G. Johnston (1849) to be “a noble stream, with a mighty rushing current; from ten to twenty feet deep, and from three to four hundred feet wide. It is by far the most formidable stream to be met with on this entire journey, especially when swollen as now.”<sup>94</sup> Nonetheless, many were taken with the river’s beauty. Elizabeth Dixon Smith (1847), for instance, described it as “a large and beautiful stream, bordered with considerable timber—quaking asp,”<sup>95</sup> and the Reverend E. E. Parrish (1844) called it “one of the prettiest little rivers I ever saw.”<sup>96</sup>

As at earlier river crossings such as the Upper Platte, a ferry was available for those willing and able to pay the price. For those either unwilling or unable to pay, the only alternative was to swim the stock across and float the wagons on some sort of a raft. On July 12, 1853, Mrs. Belshaw reported there were “Ten ferry boats” whose operators charged “\$8 for a wagon crossing, 50 cents per head for cattle and horses”; she further noted that “A man drowned the 10th of July trying to swim his stock across the river.”<sup>97</sup>

“The river being too deep to ford,” according to Marion Battey (1852), either wagons must be ferried across or “a raft must be built before we can cross it.”<sup>98</sup> Although plenty of cottonwood trees were available, raft-building was hard work and “A few of the boys as usual are sick, or pretend to be to get rid of work.”<sup>99</sup> The solution? A bit of “gold dust or gold foil” obtained from “a dentist among our number” was planted, then “discovered.”<sup>100</sup> The shirkers, of course, immediately wanted to start panning for gold, but were told by “Captain Yale . . . (that) they are able to build rafts if they are to dig gold.”<sup>101</sup>

For those who did not opt for Sublette’s cut-off, the last principal way station on the road west through Wyoming was Fort Bridger. Located in a valley drained by tributaries of Green River, the post was established in 1843 by Jim Bridger and his partner Louis Vasquez.<sup>102</sup> Ham’s Fork and Black’s Fork were cold, fast-flowing mountain streams traversing country marked by spectacular bluffs and rock formations whose appearance had a decided impact on viewers. Theodore Talbot (1843), for instance, noted that “Many of these bluffs have assumed very fantastic shapes, but on the whole their antique, venerable appearance cannot fail to impress the beholder with a sort of reverential awe.”<sup>103</sup> In the same year, on Monday, August 12, John Boardman “Crossed Black’s Fork and passed Solomon’s Temple (Church Butte); a singular mound of clay and stone of the shape of a large temple, and decorated with all kinds of images; gods and goddesses, everything that has ever been the subject of the sculptor; all kinds of animals and creeping things, and

97. Mrs. Belshaw, entry for July 12, 1853. Mrs. Belshaw also found the behavior of those associated with the ferry to be quite objectionable: “I thought there was wickedness carried on at the Missouri Ferry—but it was nothing compared to this. I’ve heard nothing scarcely, but peal after peal of oaths. It chills my blood to hear them.”

98. Marion W. Battey, *Scenes and Adventures of an Overland Journey to California, Beginning April 10, 1852* (San Jose, California: Historical Landmarks Commission), entry for July 6, 1852.

99. *Ibid.*

100. *Ibid.*

101. *Ibid.*

102. Paul Henderson, “Fort Bridger,” unpublished manuscript in the possession of the author. In fact, though some building was accomplished in 1842, the first merchandise stock was not brought west until the summer of 1843, at which time, not surprisingly, the trading post was formally opened.

103. Theodore Talbot, entry for August 28, 1843.

89. J. Quinn Thornton, entry for July 19, 1846. He went on to note the presence on the banks of the river of “dense groups of tall willows, and an undergrowth so thick as to make it almost impossible to pass through. The idea of hiding among the close and thick-leaved willows, here got into the heads of Star and Golden, the two greatest rogues in my team; and they in consequence gave my driver, Albert, some trouble to find them.”

90. Orson Pratt, entry for June 29, 1847.

91. Wm. G. Johnston, p. 151.

92. Wm. G. Johnston, p. 152.

93. Edwin Bryant, p. 135.

94. Wm. G. Johnston, p. 152.

95. Elizabeth Dixon Smith, p. 128.

96. E. E. Parrish, entry for August 27, 1844.

everything that art has manufactured or brought into notice. A magnificent and striking sight."<sup>104</sup>

Then they came to the Fort Bridger Valley itself. No one has described this "oasis in the barren wilderness" more perceptively than Elizabeth Dixon Smith in August, 1847, when she wrote "this is a pretty place to see in such a barren country perhaps there is a thousand acres of level land covered with grass interspersed with beautiful stony brooks and plenty of timber, such as it is quaking asp."<sup>105</sup>

Fort Bridger itself was not a particularly imposing sight. In August, 1843, Theodore Talbot passed "under the bluff on which Vasquez (and) Bridger's houses are built. We found them deserted and dismantled. They are built of logs, plastered with mud."<sup>106</sup> Two years later, on July 25, 1845, Joel Palmer described Fort Bridger as a "trading fort . . . built of poles and daubed with mud; it is a shabby concern."<sup>107</sup> Edwin Bryant was similarly unimpressed, as is made clear in his diary entry for July 17, 1846: "'Fort Bridger', as it is called, is a small trading-post, established and now occupied by Messrs. Bridger and Vasquez. The buildings are two or three miserable log-cabins, rudely constructed, and bearing but a faint resemblance to habitable houses."<sup>108</sup>

Generally unimpressive though it may have been for much of its institutional life, Fort Bridger's existence, first as a trading post then as a military establishment, spanned roughly half a century. In the words of the eminent Oregon Trail historian and cartographer, the late Paul Henderson: "For nearly half a century . . . (Fort Bridger) had an illustrious and checkered career, as a trading post for trappers, Indians and emigrants, a Mormon outpost, a key United States military post, an Indian Agency, a

station on the famous Pony Express, Overland Stage lines and the first transcontinental telegraph."<sup>109</sup>

In the year of statehood, 1890, Frederick Jackson Turner proclaimed the closing of the frontier. But, in a very real sense, the frontier will never close for a state like Wyoming, for that experience is still a vital part of its socio-historical fabric. What Wyoming is today, and will become tomorrow, will always reflect the profound impact of the frontier, of which her historic trails were so vital a part. As with all history, we should learn from the mistakes which were made. But we should also remember, cherish, and emulate the positive—the hard work, the deep faith, the loyalty, and the courage of those who traveled Wyoming's historic trails on their way west.

104. "The Journal of John Boardman," *Utah Historical Quarterly*, 2 (October 1929): 106-107.

105. Elizabeth Dixon Smith, p. 128.

106. Theodore Talbot, entry for August 30, 1843.

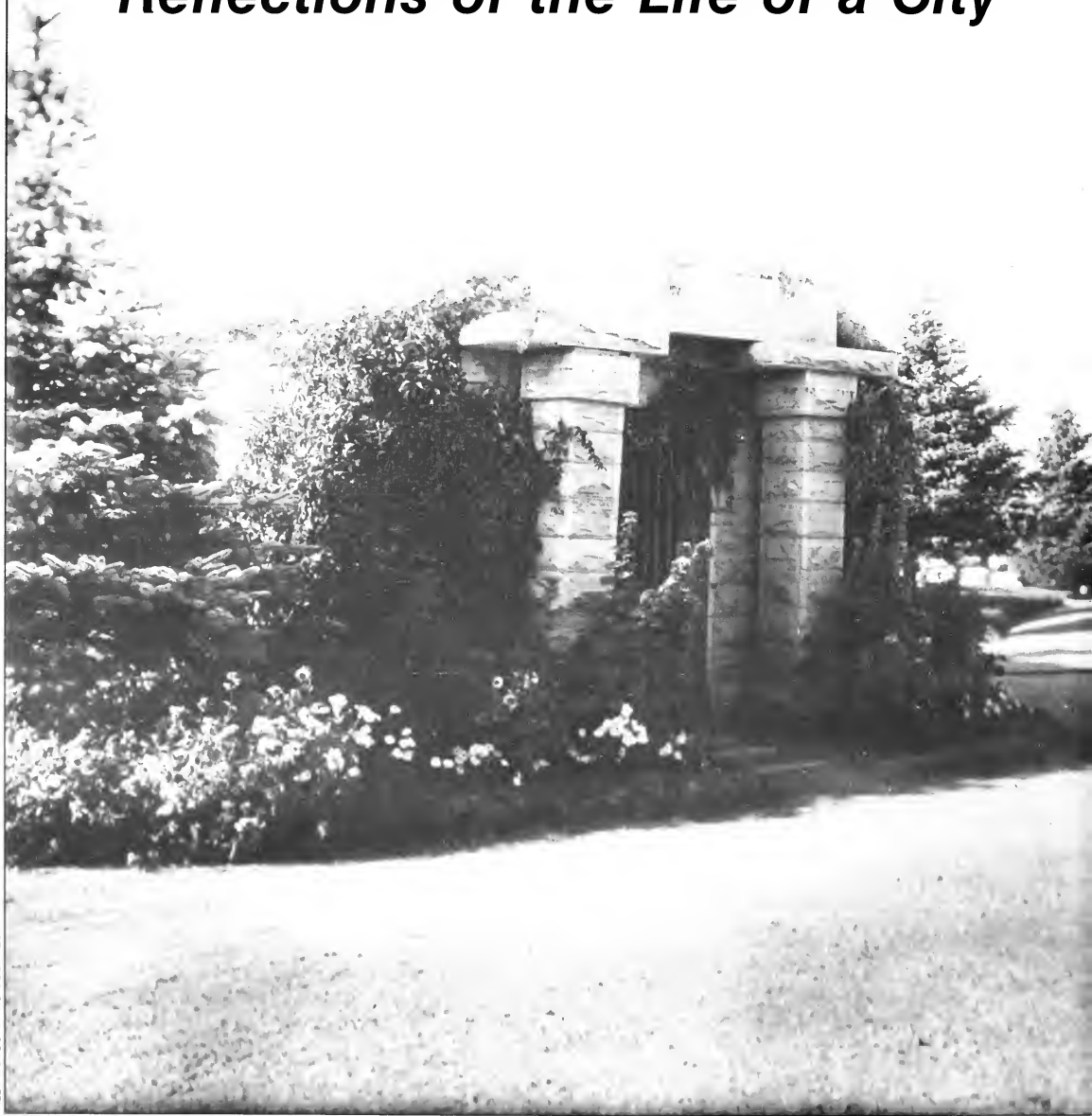
107. Joel Palmer, p. 32.

108. "West From Fort Bridger: the Bryant Journal," *Utah Historical Quarterly*, XIX (January, April, July, October 1951): 51.

109. Paul Henderson, "Fort Bridger." In 1890, the year commonly associated with the end of the frontier, both Fort Bridger and Fort Laramie were abandoned by the military. Fortunately, today many of the buildings on both areas still survive, the former area as a State Historic Site and the latter as a National Historic Site.

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# ***THE CHEYENNE CEMETERY*** ***Reflections of the Life of a City***



ALL PHOTOGRAPHS COURTESY AMH





*J. E. Stimson  
photographed the  
Cheyenne Cemetery  
in 1911.*

Since the 1860s Cheyenne has evolved from a rough and tumble frontier town to a modern city. During this evolution, much of the city's past has been forgotten, misplaced, torn down, or ignored. Buildings that once were important landmarks are gone. Parks and open areas familiar to early settlers house businesses, industry, and residences. Much has changed and much has been lost.

But for more than one hundred years the city cemetery complex (currently Lakeview, Beth El, Olivet, Odd Fellows, and the Jewish cemeteries) has served the city not only as the final resting place for many of its residents but, largely unconsciously, as a repository for the city's social and cultural history. By examining carefully and sensitively the cemetery's grounds and records, we can discover not only how people died, but how they lived as well. What kind of people came here to work, raise families, and settle this area? Were they young? Old? Rich? Poor? Was there a racial mixture representative of the times? What cultural, social, and aesthetic values did they hold? What kind of society did they live in? Was it violent? Healthy or unhealthy? Was there an equal or unequal distribution of the sexes? Were men's and women's lives substantially different? Were the "Good Old Days" as good as we think they were? Answers to these questions and many more may be found on the silent stones and in the dusty record books maintained by the cemetery.<sup>1</sup>

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1. The majority of information contained in this paper came from the Burial Registers maintained by the cemetery sextons. A year by year survey was made of these books from 1875 to 1960 and the data were recorded in the following categories: male/female; age at death in ten year intervals; and cause of death. Cause of death included the following: stillborn/premature birth, heart disease, tuberculosis, cancer, respiratory infection (pneumonia); infectious disease (e.g. typhoid, cholera, diphtheria, influenza), accident (including homicide), suicide, stroke, and other (e.g. peritonitis, uremia, alcoholism, ulcers, syphilis, complications of childbirth or pregnancy, or "unknown"). The records were surveyed by an historian with limited medical background, but the research was supplemented by discussions with a registered nurse (Marilyn Frobish) and a retired physician (George Phelps). One caveat must be offered: the researcher depended upon records kept by a series of sextons who sometimes changed reporting procedures. Whenever possible, the data used for the purposes of this report included only those persons who died in Cheyenne and were buried in Cheyenne. Those who died here but were buried elsewhere or who died elsewhere but were buried here are not intentionally included in the data. The raw data sheets of the statistical data have been deposited with the Historical Research and Publications Division, Wyoming State Archives, Museums and Historical Department, Cheyenne.

*1875-1900: Frontier Community*

Several significant trends and patterns emerge from the data of these early years. Cheyenne was heavily populated by men whose lives were constantly in danger from the elements, from occupational hazards, and from each other. During this twenty-five year period, 108 men and boys (14.7 percent of total male deaths) died as a result of railroad accidents, lightning, murder, accidental gunshot wounds, snake bite, or freezing, and an additional twenty-nine (4.0 percent) took their own lives. In 1883 a lynch mob killed a man accused of murder, and in 1892 a seventeen-year old boy was legally executed. Recorded male deaths outnumbered known female deaths 732 to 450, largely because men in Cheyenne (and in the West in general) substantially outnumbered women. Pneumonia and other infectious diseases struck down a large number of people (25.5 percent of all burials), the overwhelming majority of which were infants and children below the age of twenty. The mortality rate for tuberculosis was high (approximately 10 percent of the total) and usually struck between the ages of twenty-one and forty.

Because of the nature of the records available, determining the cause of death for men and women in Cheyenne's early years was often difficult. The largest single recorded cause of death was "other" or "unknown" and this was particularly acute for female deaths. One might expect to discover that a significant number of women died in childbirth or as a result of a complicated delivery, but the available data suggest that this was not a major cause of death among women in Cheyenne during this period. Of the 141 women who died between the ages of twenty and forty, twenty (14.2 percent) were clearly identified as dying during or as a result of childbirth. (By comparison, 26.4 percent of men in the same age group died of accidental causes).

Probably the most heart rending statistic shows that nearly 40 percent of those buried in the Cheyenne cemetery during this period were under the age of ten (including stillbirths). In fact, the first recorded burial was that of a two-year old boy. Cheyenne in the late nineteenth century proved to be an unhealthy place in which to be born and try to grow up. Diseases which are almost unheard of today and normal childhood illnesses which are now treatable with commonly prescribed medicines took a dreadful toll on Cheyenne's young people. Cholera, typhoid, pneumonia, and "brain fever" (encephalitis), plagued children across the country because communities had not yet developed safe water supplies and adequate sewage disposal, and Cheyenne was clearly no

exception. Interestingly, many children and infants buried at this time were simply listed as "infant son of . . ." or "infant daughter of . . ." or "child of . . ." and were not identified with a first name.

The overall picture of Cheyenne at the end of the last century which emerges from these records is of a young community (both in a political sense and a demographic sense) where death was a way of life. At work or at home, sudden and tragic death could and did strike frequently. Less than 10 percent of those buried at the cemetery had lived longer than sixty years, a reflection of the youthfulness of those who migrated here and the early age at which many of them died. City sanitation efforts were limited (though probably not much different from other communities around the country and probably better than many) and medical care was often inadequate for the task at hand. Conversations with George Phelps, a retired Cheyenne physician, revealed that many men who called themselves physicians during that period had not attended a medical school, receiving their training instead from other physicians with questionable credentials.<sup>2</sup> Those who graduated from accredited schools often remained in the East where the equipment, support services, and financial remuneration were much better. Cheyenne was a western cowtown and a railroad town which required a preponderance of men who were frequently at risk in their work. As the town matured and grew in the early twentieth century, however, social, cultural, and epidemiological changes would be reflected in the cemetery records.

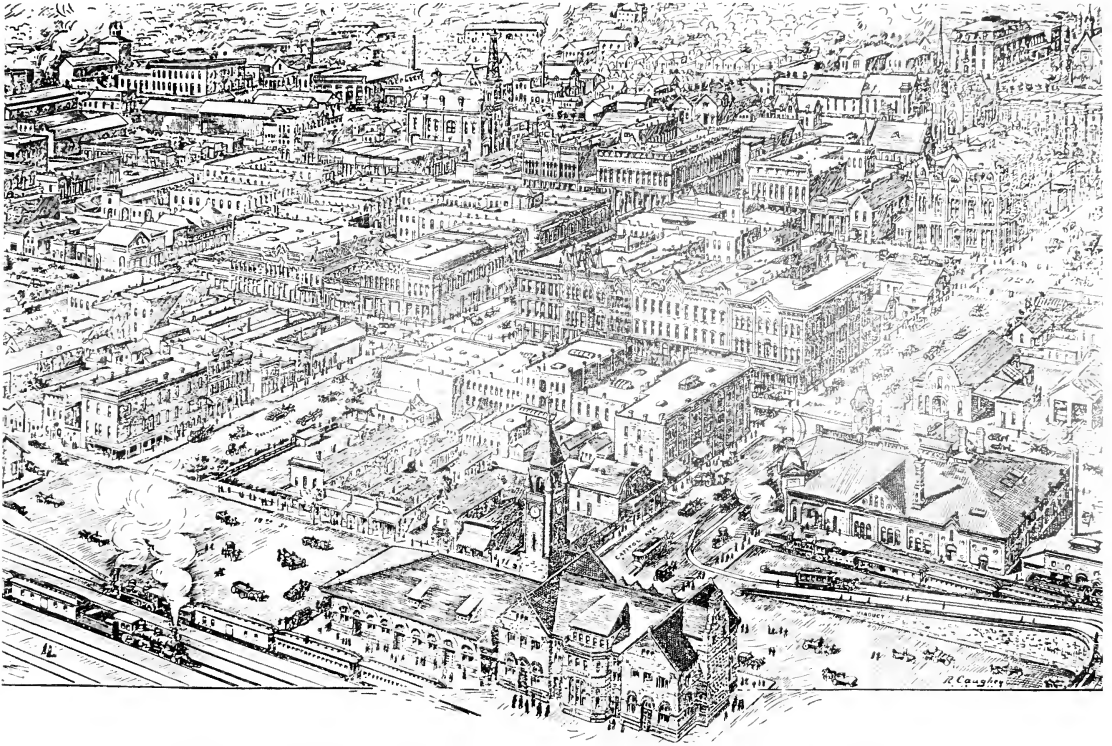
*1901-1925: Years of Transition*

As Cheyenne entered the twentieth century, the young town, like other nascent communities, began to exhibit both the positive and negative effects of modern life. Improved city sanitation and water services, better medical facilities and personnel, and advances in medical science resulted in declines in tuberculosis deaths in adults and in infectious diseases, particularly among children. Yet at the same time, there was an increase in the incidence of heart disease, strokes, and cancer which in time would become the leading causes of death.

Deaths as a result of infectious diseases declined markedly during this period (from 13.9 percent to 8.5 percent) and would have been even lower except for the influenza epidemic of 1918-1919 that swept the country. This epidemic killed 550,000 people in the United States,

2. Personal interviews with George Phelps, Cheyenne, June 15, 22, 1989.

## CHEYENNE CEMETERY



VIEW OF THE BUSINESS DISTRICT OF CHEYENNE

*Cheyenne's business district in 1890.*

five times the number of American soldiers killed in battle in World War I. Between October, 1918, and March, 1919, seventy-one flu-related deaths were recorded in Cheyenne, a figure that represents 35 percent of all infectious disease deaths for this entire twenty-five year period. Recalling his experiences with the epidemic while serving as a young sailor on the east coast, George Phelps noted that most physicians could do little to save those who were infected.

The rate of death as a result of heart disease, strokes, and cancer for men and women doubled in the first quarter of the twentieth century compared to the last quarter of the nineteenth century. However, these significant changes in cause of death resulted in part from the increased average age of Cheyenne residents. While precise statistics on average age were not used for this study, we can predict a growing aged population by noting that the percentage

of people who died at age sixty years or older increased from approximately 10 percent of all deaths to nearly 25 percent.

At the other end of the age scale, the number and percentage of stillborns and deaths of infants less than a week old also increased significantly during this period. This was not a result of worsening prenatal care, but rather was an indication that the community was shifting from a predominantly male population to a more gender-balanced population which included more women of child-bearing age. In short, Cheyenne was ceasing to be a "frontier" town and was increasingly becoming a place where men and women sought to raise families. As more women of child-bearing age moved west, western communities had higher birthrates and concomitantly higher infant deathrates as well. If stillbirths and early infant deaths are excluded from the statistics, then childhood (one

week to twenty years) actually becomes far more survivable during this period than in the preceding twenty-five years.

Perhaps the clearest indicator of the increase in early infant deaths was the creation in 1908 of the cemetery's "stillborn plot" located in the southeast portion of the cemetery. Prior to that time, most stillborns were buried in potter's field. Interestingly, the stillborn plot was used not only for babies born dead, but for many infants who lived several weeks or even months. (The oldest infant recorded in the stillborn plot was two years old). For reasons which were not clear from the records, many infants buried in this plot in the early years were not named, although this practice was largely abandoned by the 1930s. The shift from not naming stillborns to naming them suggests an interesting change in people's perception of infants and children.

Potter's field, located in the southeast section of Lakeview Cemetery, was an integral part of the cemetery from the beginning. Here, the bodies of hundreds of men, women, and children with no family or no funds were laid side by side in unmarked graves. Although we often think of potter's field as the space set aside for derelicts and drifters, the (admittedly incomplete) records from the cemetery suggest that many of those who were buried here were productive members of the community who did not have family members nearby to arrange for burial in a specific plot. Many of the men buried here, for example, were killed while working in the railroad yards. Moreover, most of those buried here in the early years were identified by name, indicating that they were familiar residents of the town. But the fact that such a large number were buried at county or city expense suggests that poverty was fairly widespread, for a regular plot could have been purchased for only five dollars. Another fact that stands out in relation to potter's field is the disproportionate number of Hispanics and Japanese buried there. Based on the records examined, there is no way to determine for sure whether this was a function of racial attitudes or income, but it is likely it was a combination of the two.

Traumatic deaths and work-related accidents, especially on the railroad, continued to take a high toll as the percentage of accidental deaths for men increased from 14 percent during 1875-1900 to 17 percent during 1901-1925. Well into the twentieth century, Cheyenne continued to be a violent town. In 1917, for example, at least half a dozen people died of stab wounds or intentional gun shot wounds and another dozen more died from other traumatic causes. Despite what some promoters would have us believe today, the legend of Cheyenne

includes far more crimes of passion than it does romantic gunfights.

Indicators of technological change also appear in the cemetery's records. In 1903, Cheyenne recorded its first streetcar death and in 1915 a forty-five year-old man became the town's first victim of the automobile. Eight years later, the sexton noted the cause of death of another man as an "aeroplane" crash. The technology of war also intruded into the lives of Cheyenne's citizens as several casualties of World War I were re-interred from the fields of France.

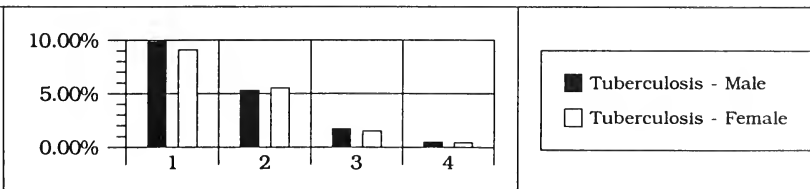
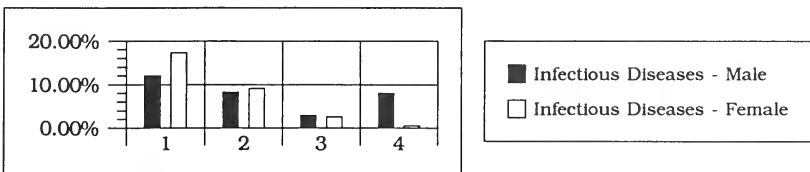
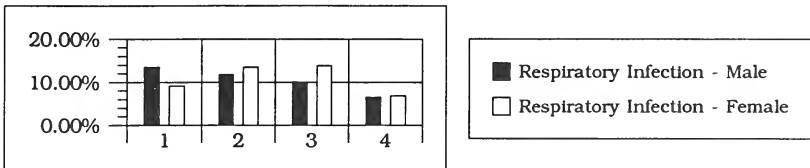
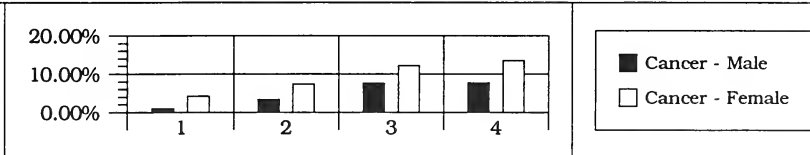
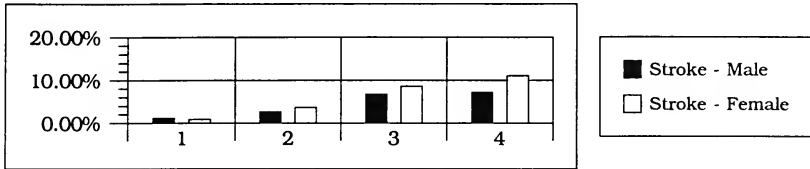
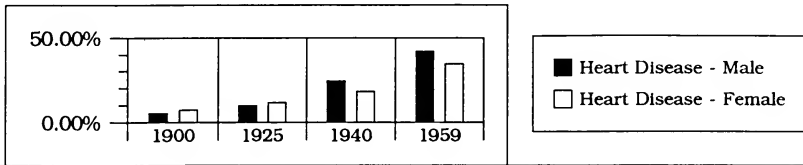
Near the turn of the century, the term "melting pot" described the assimilation of large numbers of immigrants from Europe and Asia into American society. Once again, the Cheyenne city cemetery reflected the national experience as ethnic names from Greece, Italy, Scandinavia, Ireland, China, Japan, and other countries appear in the records. The significant numbers of Hispanics, Europeans, and Asians who lived in Cheyenne must have made the growing town seem cosmopolitan indeed. Cultural pluralism probably had a greater impact on Cheyenne in the first two decades of this century than at any time before or since.

The most noticeable change in the names of those buried at the cemetery during these years was the addition of scores of Asian names, primarily Japanese. Although the reasons are not clear, a "Japanese plot" was established in 1924 in the northwest corner of potter's field. Because so many of the graves in this area are marked with engraved stones, it may well be that the Japanese community in Cheyenne requested this special area. It must be noted however, that the 1920s witnessed a time of intense anti-foreign attitudes throughout the United States and much of this xenophobia was directed at Asians and others who were racially different from the majority. Additional research on this subject needs to be conducted to determine if the "Jap plot" resulted from White racial attitudes or from the Japanese efforts to maintain a sense of cultural identity.

Cheyenne, like other cities then and now, had its share of unfortunate incidents which attest to the bad habits of its population and the struggles of everyday life. References to drug overdoses (usually morphine) and alcoholism were not unusual during this period. Men and women alike were vulnerable to these tragedies as well as to syphilis and suicide. Despite the relatively small population of Cheyenne at this time (11,320 in 1910), more than fifty persons died of these causes in the first two and a half decades of this century. Yet we should remember that Cheyenne simply reflected trends in

CHEYENNE CEMETERY

Percent Male & Female Deaths 1875 - 1959



A comparison between the male and female deaths during the four time periods. (1 corresponds to the period 1875-1900, 2 to 1901-1925, 3 to 1926-1940, and 4 to 1941-1959).

American cities which included severe drug addiction problems, rampant venereal disease, and a high rate of suicide caused in part by the disruptive shift from an agrarian to an urban culture. Cheyenne, like its larger counterparts in the East and Midwest, suffered the growing pains brought on by modern life.

1926-1940: *Hard Times*

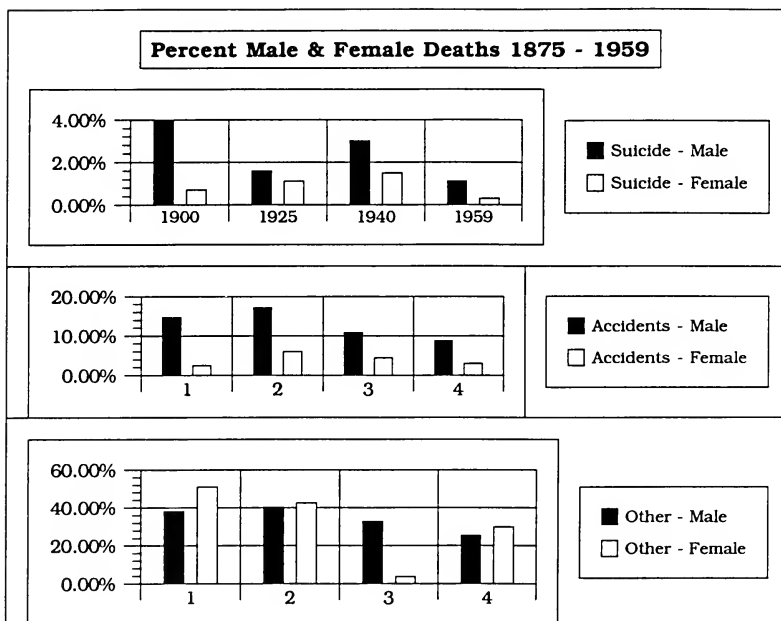
From the middle of the Roaring Twenties to the onset of World War II, the burial records continue to indicate Cheyenne's maturation. The impact of technological change and the vicissitudes of economic forces left their imprint on the city and are visible in the commonplace notations of the cemetery sextons. Each new burial added to the growing evidence of Cheyenne's emergence as a modern urban center with the attendant benefits and detractions.

As Cheyenne and its citizens grew older, heart disease, stroke, and cancer continued to claim a larger share of the population. Among women, deaths from heart disease increased from 11 percent of all deaths between 1900 and 1925 to 18 percent between 1926 and 1940. For men, the increase was even more dramatic as the rate jumped from 10 percent to 24 percent. While such an increase may be attributed in part to factors such as diet, smok-

ing, and stress, the primary cause of that change was largely a result of a significantly older population more prone to heart disease. Among males, the percentage of those dying after age sixty increased from 25 percent between 1901 and 1925 to 43 percent between 1926 and 1940.

In many ways, Cheyenne was becoming a safer place to live. The mortality rate for tuberculosis and other infectious diseases declined substantially from a combined total of nearly 15 percent of all deaths to less than 5 percent of all deaths. While the decrease in tuberculosis deaths had its greatest impact on young and middle aged adults, the primary beneficiaries of medical advances and laws related to sanitation were clearly the infants and children of Cheyenne. In the fifteen year period under consideration, only twenty-two children died of infectious diseases (excluding pneumonia) while sixty-three had succumbed in the preceding twenty-five years.

It is likely, however, that the decline in childhood deaths resulted in part from a decline in births during this period. In the worst years of the Depression, many women chose to forego children and many couples were separated for long periods as men moved around the country looking for work. This study was based on death records not on birth records, but the ratio of stillborn infants rela-



tive to all recorded deaths suggests that the birthrate in Cheyenne declined remarkably. Between 1933 and 1937, the percentage of stillborn deaths were approximately half of what it was in the five years before and after that period. If we assume that the mortality rate for newborns was roughly constant during this period, we can only conclude that the birthrate dropped significantly.

Although the accidental death rate for men remained high at nearly 11 percent, that figure nevertheless marks a decline of nearly one-third from the rate during 1901-1925. At first glance, one might assume that this decline resulted from fewer men at work during the Great Depression, but the highest rate between 1926 and 1940 occurred during the peak years of the Depression. One reason for the reduction in accidental deaths was the increased quality of medical care as medical school graduates replaced ill-trained physicians. Injuries that would have resulted in death a generation earlier were now being treated with greater understanding and more sophisticated medicines.

The national suicide rate during the Great Depression has been vastly overstated in the common lore of that period and never amounted to more than a small fraction of the deaths in any community. Nevertheless, the rate did increase slightly in Cheyenne (and other cities) as the depressed sought final escape from the Depression. Between 1930 and 1940 at least twenty-four men and twelve women took their own lives, with a gunshot being the method of choice for men and carbolic acid or lysol poisoning the most likely alternative for women.<sup>3</sup> The number of suicides in that decade was twice as high as any decade before or since, but the *percentage* of male deaths represented by suicide was actually higher in the last quarter of the nineteenth century (4.0 percent) than during the 1930s (3.0 percent).

Although one must always be careful speculating about social mores and the behavior of past generations, it would be historically unfair to ignore the available evidence which suggests that actions did not always follow stated beliefs. During this fifteen-year period, at least three

Cheyenne mothers abandoned their infants at birth. These babies were simply recorded as "unknown babe" and buried in the stillborn plot. Moreover, at least three women died as a result of abortions. It is possible that other women who died as a result of abortions were listed simply as "complications of childbirth" or "septicemia." Although these numbers are not particularly large, they do indicate the presence of social conditions and pressures which led women to make very difficult choices.

The Great Depression no doubt created "hard times" for many people and the impact of those times is reflected in the pages of the Burial Register. Yet the cemetery records also indicate that more infants became children, that more children became young adults, and that more young adults lived to old age than they had in Cheyenne's earlier days. Longevity does not guarantee an increase in the quality of life, of course, but it does allow one to survive to see better times.

#### *1941-1959: Urbanization and Modernity*

By the end of the period analyzed for this study, the statistical data available from the cemetery records reflect Cheyenne's development as a modern city. The disruptions of the war years and to a lesser degree of the post-war years mark an aberration in the trends which had begun to emerge in the early part of the century, but by the end of the 1950s the community had resumed its movement toward a healthier environment and an aging population.

The percentage of deaths at age sixty or more had reached 50 percent for men and women by 1941 and in 1960 had risen to more than 60 percent for men and to a remarkable 85 percent for women. The primary difference between male and female mortality in the 1950s was that a much larger proportion of men died between the ages of forty and sixty (due largely to heart disease) than women.

Children between one week and ten years had represented nearly 40 percent of the burials before the turn of the century but now accounted for less than 5 percent of the recorded deaths. The percentage of stillborns and neonatal deaths remained high, however, probably attributable to the fact that neonatal medicine was in its infancy and that pediatric and OB-GYN specialists were in short supply immediately after the war when many couples began families which had been postponed "for the duration." During these years the percentage of stillborns and neonatal deaths relative to all deaths averaged approximately 15 percent, peaking at 21 percent in the post-war baby boom year of 1948.

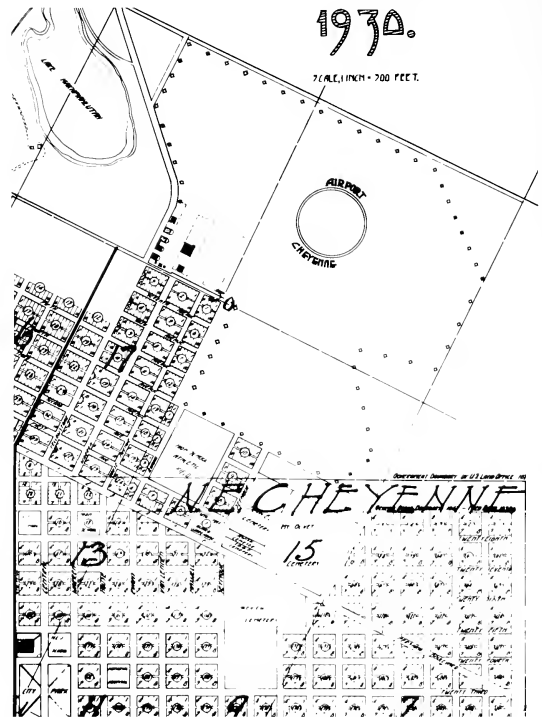
3. Determining the precise number of suicides during any period from the available records is difficult. In some instances, the entry in the Burial Register clearly indicated "suicide" or "self-inflicted wound." In other cases, particularly when poison was involved, the distinction was not always made. As a rule, when the data for this survey was collected, if an entry did not clearly indicate suicide, it was considered as an accidental death.

By the 1950s the morbidity and mortality rates for tuberculosis and infectious diseases were reduced to a small fraction of what they had once been. In the last decades of the nineteenth century those diseases had accounted for nearly 20 percent of all deaths; by the middle of the twentieth century they made up a combined total of less than 1 percent. Respiratory infections continued to cause a significant number of deaths, but the age of those affected had shifted from the very young to the very old.<sup>4</sup>

Cheyenne's progress as a modern city was reflected in the changing nature of the causes of death. One obvious change which occurred here and elsewhere was the decline in the number of deaths from appendicitis. The records indicate that death from a ruptured appendix was not uncommon in the 1920s and 1930s. However, as more physicians became better trained, the chances of surviving an appendicitis attack and the requisite surgery increased markedly, and by the 1950s this cause of death was becoming a thing of the past.

Accidental deaths declined after World War II as Cheyenne moved from an economy based primarily on physical labor to one increasingly based on providing services. The railroad had once been a primary source of accidental deaths (e.g. thirty-three deaths between 1901 and 1910), but between 1951 and 1960 no railroad-associated deaths were recorded. Automation, safety regulations, and accident prevention programs, all a part of modern American society, decreased the likelihood of fatal work-related injuries, a development clearly reflected in these statistics. The largest single cause of traumatic death in the 1950s was not, as one might expect, automobile accidents, but rather accidental shootings (including homicides). According to the records, twenty persons lost their lives due to gunshot wounds while nineteen were killed in traffic accidents.

The suicide rate seemed to have dropped considerably during this period. For the first time the rate of suicides in a decade was less than 1 percent of all deaths. Yet the statistics may be somewhat misleading, for there may have been a reluctance to record some deaths as suicide. Several deaths attributed to poison or carbon monoxide



*In 1930 Cheyenne's cemetery complex included Lakeview, Mt. Olivet, Beth El, I.O.O.F., and Jewish cemeteries.*

may have been self-induced, but because the records did not specifically indicate this, they were categorized as accidental deaths. Nevertheless, even if some suicides were not counted as such, the overall rate was lower than it had been, perhaps indicating a greater satisfaction with life in general. One interesting sidelight from the statistics on suicide is that the cemetery recorded its first death on the grounds when a man shot himself at the graveside of his brother during June, 1942.

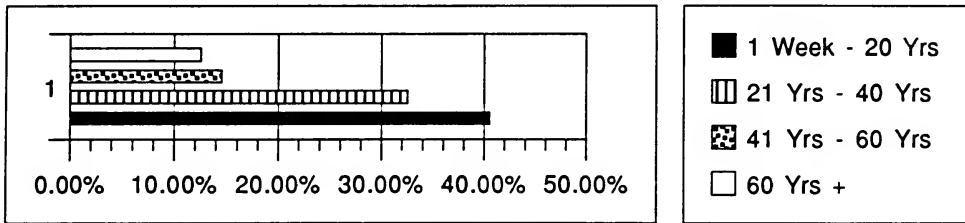
Although the figures used for this study of Cheyenne do not reflect the deaths of young men killed in action during World War II and Korea, they deserve mention. At least forty WWII and Korean War casualties were returned to Cheyenne after those wars for reburial and represent approximately 50 percent of those who died between the ages of eighteen and forty during the war years. The Cheyenne city cemeteries hold the remains of casualties of every war America fought in the twentieth century plus the Spanish-American War at the end of the nineteenth century. As Cheyenne pursued its own course,

4. In this study, all respiratory ailments were tallied under the rubric "respiratory infections" and included both viral pneumonia which affected infants and children and hypostatic pneumonia which was frequently listed as the cause of death of elderly persons. Thus, as the population grew older the incidence of hypostatic pneumonia increased. At the same time, better medical care and modern medicines were reducing the number of infants and children who died of respiratory infections.

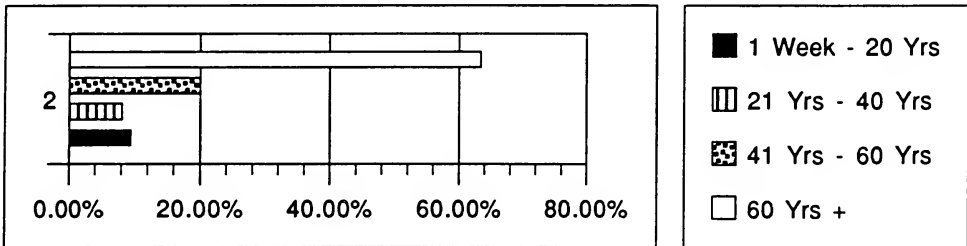


## CHEYENNE CEMETERY

**Percent of Female Deaths by Age Category 1875-1900**



**Percent of Female Deaths by Age Category 1941-1959**



its people did not forego their dedication to the ideals of the United States.

### Conclusions

The records which the law has required cemetery sextons to maintain for more than one hundred years provide an invaluable portrait of Cheyenne. But perhaps portrait is the wrong word here, for "portrait" suggests something static and unchanging and the image one is left with after examining these documents is clearly one of a dynamic, changing community which reflects the evolution of most towns and of the course of America.

We sometimes look back to the "Good Old Days" with undeserved nostalgia. No doubt there are elements of one hundred years ago which we would like to recapture—community spirit, neighborliness, a slower pace of life. Yet there are also elements reflected in the burial records which no one would want to repeat—cholera, typhoid, and flu epidemics, a high maternal death rate, unsafe working conditions, and inadequate medical and sanitation facilities.

In many ways Cheyenne reflected the experiences of new communities in the West and of established cities in

the East. Those who lived and died here witnessed the economic, social, and technological upheavals which have marked much of the last century. But their lives demonstrated the spirit of humankind which perseveres and overcomes the obstacles encountered by all generations.

Statistics taken from public records tell much about the life of a community. Too often, however, those statistics are presented in such a way that the people—the men, women, and children—behind those numbers lose their identity and the essence of their humanity. We must remember that when a person died and was recorded in the Burial Register that a mother lost a son or a husband a wife or a child a parent. There is a human story behind each entry and, while no attempt has been made to tell specific stories of individuals, the intent of this study has been to suggest that the stories of all the people listed in the cemetery records come together to create the legacy of Cheyenne.

*DENNIS FROBISH is an historian who has taught at universities in North Carolina, Tennessee, and Wyoming. Much of his recent research has involved local history projects, including this project with the City of Cheyenne and Lakeview Cemetery.*

# WYOMING SCRAPBOOK

## THE DAY WE CELEBRATE

After an apprenticeship of twenty-one years as a territory, Wyoming is admitted into the sisterhood of states where she now proudly takes her place with a constitution as broad as her great plains and as bountified as her generous valleys. Under its liberal provisions the rights of every citizen are guaranteed. The eyes of the world will be upon us because of its special features and it therefore behooves us all, both men and women, to act well our part with a due regard to the circumstance that a free state, such as this, conferring equal political privileges upon both sexes, is an experiment in government that has never been tried.

The advent of Wyoming as a state of the great American Republic, is an occasion worthy to be celebrated by our people with loud huzzas, the flying of the national colors, the thunder of cannons, a grand parade, pageantry and show, bonfires and illuminations, oratory and music, with joyous greetings, glad faces and the cordial welcome of all visitors. Our people can but rejoice on this occasion and they extend the right hand of good fellowship to all who may be with us from abroad.

Their presence is more than welcome and we trust that their visit to the capitol of the new state will be one of mutual enjoyment. May it leave a favorable impression upon the minds of all who favor us with their company.

*Cheyenne Daily Sun, July 23, 1890*

## A GIGANTIC INDUSTRY

Why Stock Raising Is So Successful in Wyoming  
Climatic Conditions Unequaled  
Smaller Herds and More Owners Will Use the Free Lands

The most essential element to the success of stock raising in any country must necessarily be cheap food. Other conditions, of course, enter largely into the question as to whether the industry can be made a paying one which shall prove inviting to the investment of conservative capital. If, however, these other conditions are about equal, then the country that furnishes the cheapest food offers the greatest inducement to the stock raiser.

Wyoming's modest claim to being one of the greatest and best stock countries in the world rests primarily upon the fact that a majority of her stock food is free to any one who will utilize it: for millions of acres of land within her borders, owned by no one and incapable of producing anything else profitably, are covered with the richest of nutritious grasses which have the well earned reputation of making unsurpassed beef. Rich as are her valleys in possibilities to the husbandman, the truth is they form but a small portion of her vast domain. Better care means that Wyoming shall have more and better cattle and horses in the future than in the past, and since better care means smaller losses, it also insures larger profits.

But free grass is not the only inducement which Wyoming offers to the stock raiser. She tenders that which is not less valuable than cheap food yet more difficult to find, an unsurpassed climate. Strange as it may seem to the man who toils and sweats through the hot summer days and shivers through the long winters of the great agricultural country to the east of us, the fact remains that the summers of Wyoming are cooler and the winters warmer than those experienced in the same altitude of the Eastern, Middle and Western states. Summing up our advantages of cheap food, her table lands and rolling prairies, lying at an altitude which precludes a sufficient rain fall for the raising of crops without irrigation, makes it more than probably that the stock interest of Wyoming will ever outweigh in importance, all other agricultural pursuits.

Cultivation of our valleys will of necessity increase with the growth of our population: for our home markets must be largely supplied by home products, and as a consequence the farmer is as essential to our growth as is the mechanic, the artisan, the stockman or the common laborer. But the advent of the tiller of the soil by no means presages the downfall of the stock industry. It is no doubt true that the time has come when large herds of cattle can no longer be held with profits equal to those reaped from the cattle business of a few years ago; but smaller herds with more owners, pure water, fresh unadulterated mountain air, mild winters, clear skies, bright sunshine and perfect health, we challenge the world to offer greater inducements for the profitable investment of capital in the raising of livestock than Wyoming holds out to every man today.

Romantic as is the history of the cattle business of the past, which in a day raised men from poverty to

affluence and wealth, and later on through depressed values, high rates of interest and extravagant expenditures reduced many to penury, it is true that this business, run on an economical basis, insures as certain and profitable returns as any other industry. The condition and methods are changing but the profits are more certain than before.

A. A. Holcombe  
*Cheyenne Daily Leader, July 23, 1890*

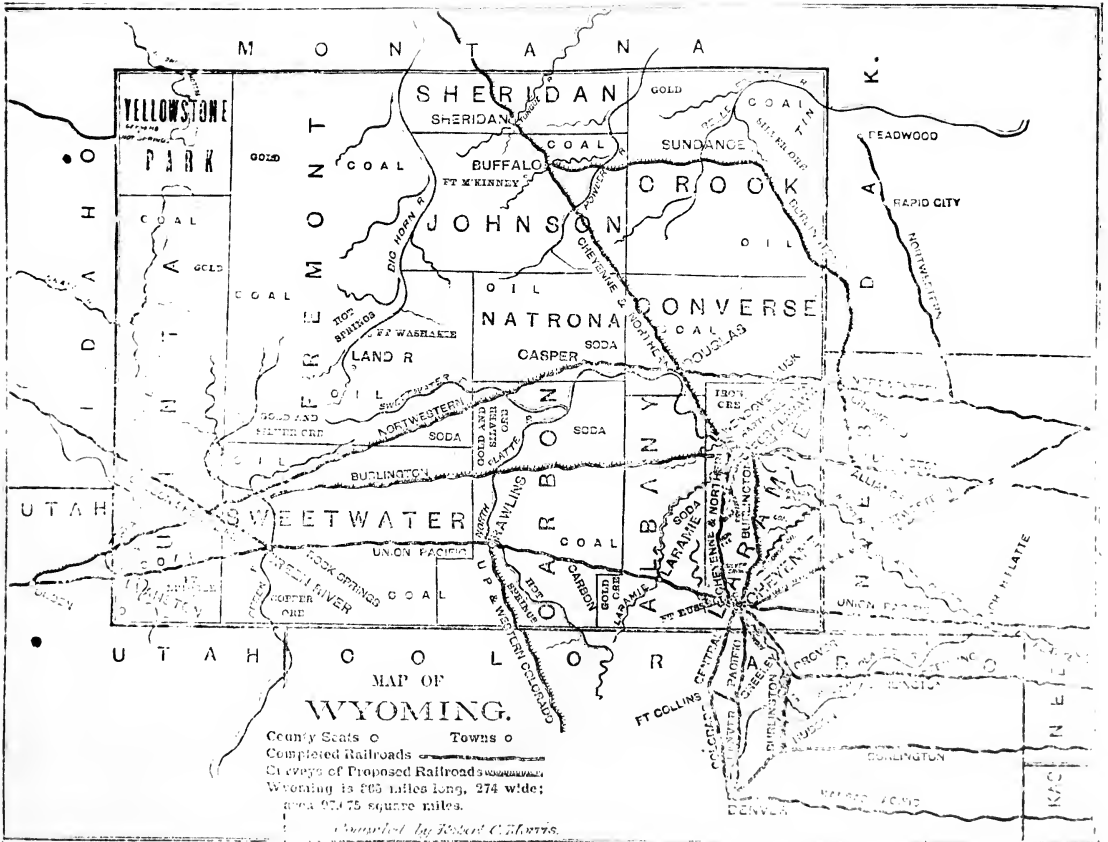
**THE PETROLEUM FIELDS OF WYOMING**

The most important subject to the citizens of the state has not received the consideration or notice it deserves at the hands of the press of the state or nation, and a brief

description of oil fields of Wyoming may cause public attention to be directed to one of the heretofore least understood and least appreciated of the many wonderful resources of the great new state.

The first discovery of natural oil springs in Wyoming dates back at least 25 years. In 1863 oil was collected from a spring near Poison Spider Creek, and sold along the Mormon Trail, for axle grease, and a few years later it was collected from springs near Hilliard, in southern Uinta County and sold as a lubricant to the newly opened Wyoming coal mines.

But it has only been during the past decade that the oil fields have attracted any considerable attention; during the past five years that any borings have been made for oil. It is only now that they are deservedly exciting the interest of eastern capital and that wells are being



Wyoming as it appeared in 1890. Map is taken from the July 24, 1890, edition of the Cheyenne Daily Sun.

drilled in various places. Petroleum is found in numerous escapes in Uinta County, near Hilliard and Fossil; in Fremont County, near Lander, in Water River; in Carbon County along the base of the Rattlesnake Mountains, in Salt Creek and the South Powder; in Johnson County, on the South Powder and No Wood Rivers; in Crook County, at various points bordering the foothills of the Black Hills range and Bear Lodge mountains.

In all but one of the localities mentioned no intelligent prospecting has been carried on, and it has not been proven whether the oil exists in large quantities or not. A number of wells have been drilled and much money expended, but with the important exceptions to be mentioned below, the prospecting companies have been too ambitious or too careless or both, and instead of sinking shallow wells at first and venturing deeper as the findings would warrant, they have selected points where the "oil sands" are so far beneath the surface that they have been unable to reach them.

The most important oil field, and the only one at all developed, lies near Lander in Fremont County.

The three wells sunk on the Popoagie all struck oil. At this place there is a small oval valley surrounded by abrupt, often precipitous hills, over which at various points he found both oil and gas escaping. A good flow of live oil was encountered in each. Three wells, which varied in depths from 350 to nearly 600 feet, were cased and applied with valves to prevent the oil from escaping, but owing to the great gas pressure a large leakage cannot be prevented—a pressure so great that upon suddenly opening the valves the oil spurts up like some black-watered geyser for 55 feet into the air. After the pipe thus clears itself the steady flow of oil is resumed, which it is variously estimated, will aggregate from 600 to 1,000 barrels per twenty-four hours.

As these wells are about 100 miles from the nearest railroad, no oil has been shipped on account of the expense of transportation, and that oil which escapes in spite of the valves is wasted and drains into several large ponds, where there are always thousands of barrels of oil collected. Its presence is indicated long before the ponds are reached by the strong but not disagreeable smell of escaping gas.

In color this oil is black. When fresh it contains a very large amount of absorbed gas. It will yield both illuminating and lubricating oil of excellent quality when distilled, and a residue which will be used as fuel for steam-making just as the residuum from the Colorado refineries is used under the boilers at the Leadville shafts.

The Shoshone wells yield oil from the top of the carboniferous formation. The rocks dip steeply into the

ground, both toward and away from the mountains respectively on either side of the river, but lie flat along a narrow belt, parallel to the range and situated where the dips change. This belt passes from Beaver Creek to the Big Wind River, a distance of about sixty miles, of which over forty miles lie within the Shoshone Indian Reservation. The oil horizon lies at various distances beneath the surface along this strip. It is never less than 500 feet beneath the ground, and never exceeds 2,000. Oil springs are found on it in a number of places.

*The Wyoming Commonwealth, July 20, 1890*

### OUR RESOURCES: METAL DEPOSITS OF WYOMING

Thus far Wyoming has produced few mines either of the precious or base metals which have become actual producers. Rich placers were discovered in the fifties at South Pass and a great deal of gold was taken from them. A few quartz mines also produced remarkably rich ore for a time. Gold washing and quartz mining has been carried on in a desultory manner ever since with only slight production. During the past few years Mr. Emile Granier has been constructing large ditches, dams and flumes, and is nearly ready to hydraulic large areas of ground that are too poor to wash by other methods. His tests on the richness of the ground were very satisfactory and he starts into the extensive enterprise with confidence of success. Gold was also found on Sand Creek in the Black Hills and rich placer claims were worked out and no longer yield large returns.

Immense amounts of gravel along the base of the Medicine Bow mountains yield gold in smaller quantity and attempts will be made to hydraulic this spring. Should the experiment prove successful it will give a great and much needed impetus to mining. Quartz mining is also prosecuted in the Seminoe mountains, where there are several promising prospects. Thus far the efforts have been of a desultory character. All of these localities are situated in places of easy access and universally near some place of settlement.

Practically no prospecting has been attempted in portions of the state where one would naturally expect to find gold and silver. The great ranges forming the Continental Divide and spurs from it in the northwestern part of Wyoming presents the best of fields to the prospector and the same may be said of the Big Horn Mountains. Yet neither of these fields are known to the miner. It is for

this reason that the writer believes that Wyoming offers one of the most promising fields to the trained prospector.

Copper is found in many places, especially near Hartville, where much copper ore has been mined. Tin occurs in many gulches in the Black Hills as stream in and also in large belts of granite rock in the slates of the same locality.

Hartville and a large belt of country to the north is also remarkable for its large deposits of iron ore. The slight development made proves the deposits to be enormous in extent and homeogenous in character. The ore is phenomenally high in its iron contents (from 64 to 68 per cent metallic iron) and is very low both in sulphur and phosphorous—far below the "Bessemer limit"—in the latter element.

This brief article is only intended to show the actual mineral wealth of Wyoming; that the large enterprises like coal mining, sodium salt manufacture, iron smelting, etc., here have an unsurpassed field for action; that the prospector with only his pack and tools may have a splendid field for work.

That these resources will be developed is only a question. The development is now taking place. And the army of workman and miners that will obtain employment will greatly stimulate the agricultural interests by affording a large market for supplies.

L. D. Ricketts  
Territorial Geologist  
*The Wyoming Commonwealth*, July 20, 1890

### RAILROADS

During the present season there will be more miles of railroad constructed in Wyoming than in any other western state. This is certainly a very desirable state of affairs and will insure a vigorous growth all over the state. With the opening up of these roads will commence the settling up of vast territories and the building of new cities and towns, all of which will contribute largely to the prosperity of the state. The one great thing that Wyoming possesses over all other new states is the fact that its industries are diversified. Commencing with stock it has become justly celebrated for fine cattle, horse and sheep. In general agriculture it is noted for producing the finest of cereals and root crops. In coal it has made a reputation which sells its product in a dozen different states. In iron it ranks in quality with Pennsylvania. In copper with the Lake Superior region. In soil its product is known as the best.

In gold and silver it is taking the front rank, and these two precious metals promise in the near future to add greatly to the wealth of the new state. Its soda deposits are more extensive than those of any other part of the world. Taken altogether Wyoming has resources enough to employ and support millions, and it will only take a few years to place us in a condition that will attract the attention of the world.

*The Wyoming Commonwealth*, July 20, 1890

### WYOMING'S ASSETS - 1890

Wyoming, with its 100,000 square miles of territory, occupies an area as large as the six New England States and Indiana combined.

In point of size Wyoming will be the eighth State in the Union.

Sixteen million acres of this Territory are capable of cultivation.

There are two million head of stock now on the grazing lands of this magnificent domain.

There is abundance of lumber for mining and domestic purposes.

There is coal in every county of the Territory. An eminent authority estimates the coal area of Wyoming to cover more than 19,000,000 acres; the mines produce at this time about 3,000,000 tons annually.

A vast belt of petroleum covers much of the Territory.

There are immense deposits of iron; and gold, silver, copper, marble, granite, sandstone, salt, sulphur, gypsum, bismuth, graphite, asbestos, and fire clay are found in various portions of the Territory.

There are 2,490 miles of mail route, and 900 miles of railway in the Territory.

The Union Pacific traverses Wyoming its entire length from east to west.

There are nine national and ten private banks. No national bank in the Territory has ever suspended or gone into liquidation.

The school property of the Territory cost over \$800,000.

Seven cities are provided with water-works and lighted by electricity.

There are five daily and twenty-four weekly newspapers.

The Territory contains over 125,000 people.

*The Resources and Attractions of Wyoming for the Home Seeker, Capitalist and Tourist*, 1890

# BOOK REVIEWS

*Forgotten Frontier: A History of Wyoming Coal Mining.* By A. Dudley Gardner and Verla R. Flores. Boulder, Colorado: Westview Press, 1989. Illustrated. Index. Notes. Bibliography. xii and 243 pp. Cloth \$34.95. Paper \$12.95.

*Where the Sun Never Shines: A History of America's Bloody Coal Industry.* By Priscilla Long. New York: Paragon House, 1989. Illustrated. Index. Notes. Bibliography. Maps. xxv and 420 pp. Cloth \$24.95.

Wyoming currently produces more coal than any other state in the nation—a fact of no little significance for Wyoming's economy. Coal mining, of course, is not just a modern day phenomenon; vast deposits of coal lured the Union Pacific Railroad through Wyoming in the 1860s. Coal's impact, however, was not limited to southern Wyoming. It brought growth to nearly all sections of the state, and it can be argued, that by the early twentieth century, half of Wyoming's population was involved with coal production in some way.

Unfortunately, the story of western coal mining has long been ignored by historians. Several possible reasons exist for this neglect. Coal does not have a romantic past associated with it as does gold and silver mining, and consequently has not sparked the interest that these industries have. Also, coal mining was essentially an auxiliary to other business endeavors; in Wyoming coal production always seemed secondary to the railroads it served, and hence less worthy of study.

Perhaps sparked by the large demand for Wyoming and western coal, historians have produced several new studies that highlight the history of coal development, two of which deal with coal in Wyoming and the West. A. Dudley Gardner and Verla R. Flores' *Forgotten Frontier: A History of Wyoming Coal Mining* traces the past and present of coal mining in Wyoming, and Priscilla Long's *Where the Sun Never Shines: A History of America's Bloody Coal Industry* explores the history of coal mining on a national scale with special emphasis on the West.

Appropriately named *Forgotten Frontier*, Gardner and Flores' book offers the first general history of coal mining in Wyoming. Their work starts before the Union Pacific Railroad arrived in 1867-68, and follows coal development along a basic time line to the present. The book points out the many and varied aspects of coal min-

ing, including early mining methods, company towns, coal company philosophies, labor relations, labor strife, mine disasters, mine mechanization, and the life of the miner and his family. Several important facets of Wyoming's past are brought out in the discussion - points that are of importance to anyone concerned with Wyoming's history. Contrary to our cowboy image and the predominant idea of a cattleman's heritage, Wyoming had significant industrial development in the form of coal mines, and this activity brought elements of the industrial revolution to Wyoming. These characteristics included a vast degree of ethnic diversity and a setting often necessary for industrialization, that of the company town - a setting where the company could and often did dominate the life of the miner and his family. Wyomingites who perceive Wyoming to have been the home of the cowboy alone, should read Gardner and Flores to understand another reality about life in Wyoming.

Much is crammed into this relatively small book. The authors attempt to synthesize all material relating to Wyoming coal mining. Unfortunately for Flores and Gardner, few in depth studies exist on the individual aspects of coal mining in Wyoming. Consequently, they could not fall back on previous works to aid in their synthesis. They had to delve through much primary research material, as well as rely on materials written about other regions, such as Iowa, to put their story together. This synthetic approach and the number of topics covered makes the work a little superficial, and at times masks the true complexity of such topics as labor relations and mine mechanization. But, there is no other way to write such a book. Hopefully, those reading the book will be inspired to do the detailed studies on the many aspects of Wyoming coal mining that Flores and Gardner bring to the surface. Overall, this book helps fill a vast hole in the story of Wyoming's past, and should be read by all interested either in Wyoming or the coal industry.

Priscilla Long's book is much more sweeping in scope than *Forgotten Frontier*, covering coal mining nationally and then in the West. Long covers ground that has never been explored before in several scattered sources. She, however, attempts to bring all of the elements of coal mining together - the work methods and procedures, the social and physical conditions in mining, the growth of industrial capitalism, the changes in the workplace, and the workers' collective response to their lives in the mines.

Long also delves into the significance of women in the mining communities, a subject often ignored. The main point of the book, however, is the "emergence of a new system of classes, and the conflict, accommodation, outright war, and ongoing struggle between working people and their employers" (p. xxiv).

All of what Long tries to do here, she does well, but of particular interest to us in Wyoming is the second section of the book which deals with coal mining in the West. She uses the situations in the western coal fields much as case studies, reflecting national and international trends. Her study of the West features Colorado, a condition that afflicts many books about the Rocky Mountain mineral industries. But, Wyoming defensiveness aside, we must admit that Colorado was by far the largest coal producer in the West, and within that state bitter struggles between labor and capital flared to violence in 1903-4 and again in 1913-14. Also, Colorado housed the epitome of evil capitalism in the form of Colorado Fuel and Iron Company. Long does mention the Union Pacific Coal Company and Wyoming mining several times, which is perhaps all Wyoming deserves in a general study of western coal mining, but I would have liked to see a comparison of the reasons for violence in Colorado and the apparent labor harmony in Wyoming. Nevertheless, Long's work is impressive. She effectively explains much of the coal industry, and for those interested in one text to learn more about coal or the tales of terror of Colorado's coal labor wars this book is highly recommended.

*Forgotten Frontiers* and *Where the Sun Never Shines* (for those not familiar with coal songs, this title comes from a Merle Travis song "Dark as a Dungeon,") make an excellent combination to read together. Read Long's book first to gain an understanding of the national and regional aspects, followed by Gardner and Flores for a Wyoming slant. Some material will be duplicated, but by the end of the second volume, the reader should have a thorough grasp of western coal mining. It is exciting that the history of coal mining is finally emerging from its neglected status, and now the people of Wyoming have ample opportunities to learn more about the past of this vital industry.

David Wolff  
University of Wyoming

*The Last Best Place: A Montana Anthology.* Edited by William Kittredge and Annick Smith. Helena: The Montana Historical Society Press, 1988. Illustrated. Bibliography. xviii and 1,160 pp. Cloth \$39.95.

In a 1947 essay the eminent literary critic and novelist Leslie Fiedler characterized Montanans as "simply inarticulate" (p. 747). The typical Montanan, he complained, was "incapable of coming to terms with his own real past" and "of making the adjustment between myth and reality upon which a successful culture depends" (p. 752). For Montanans, thus, the twin "possibilities of tragedy and poetry" remained to be grasped (p. 752).

In the short span of four decades, Montanans have made the adjustments Fiedler believed were so far from their range and have captured the possibilities of tragedy, poetry, and nearly every other literary genre. To prove the point, *The Last Best Place*, published under the auspices of the Montana Historical Society, is a masterful testament to the state's new literary eminence and has provoked effusive responses from critics who generally ignore the backwaters of Montana and the inter-mountain west. In March, 1989, the *Los Angeles Times*, in a feature story about modern Montana writers, announced unabashedly that "Montana's the Literary Capital of the Country."

The work is a massive anthology of a variety of historical and contemporary Montana writing (1,160 pages weighing in at a hefty five pounds plus), produced in commemoration of the state's centennial in 1989. The editors have consciously chosen not to include historical essays, feeling that direct sources would better illuminate Montana's rich multi-cultural history. Contained within its covers are pieces from 149 different authors arranged in eight chapters covering and excerpting "Native American Stories and Myths"; "Journals of Exploration"; "Stories of Early Pioneers and Indians"; "Writings About Butte"; "Remembering the Agricultural Frontier"; "Literature of Modern Montana"; "Contemporary Fiction"; and "Contemporary Poetry." A pantheon of the state's most prominent writers and historians offer introductory essays to each chapter, while dozens of woodcuts from four artists beautifully adorn the pages. The first printing sold out within a few weeks in Montana as booksellers from as far away as Seattle, Portland, and Los Angeles clamored for copies. A second printing of five thousand disappeared in ten days. Yet most observers are at a loss for precise answers to the work's overwhelming popularity; other Montana anthologies have, in fact, appeared at various times in the last half century, with little or no fanfare. Even the project's associate editor,

Marianne Keddington, admits the book's success "is unbelievable" though she gropes for an explanation, stating "It's simply inexplicable."

Less puzzling, however, is the history of writing in modern Montana—a history which reveals how Montana writers have transcended Fiedler's bleak forecast and which perhaps holds answers to the new reputability of Montana writing. Modern Montana literature's rise to distinction began in 1964 with the arrival of poet Richard Hugo at the University of Montana in Missoula. Hugo inherited a creative writing program that historically had been of high caliber and had produced the likes of A. B. Guthrie and Dorothy Johnson, among others in its forty odd-year existence. But Hugo emphasized to his students that their focus should not be on perpetuating eastern stereotypes and western myths—hitherto a common defect of western-based writers. Instead their writing should be no-nonsense, realistic, tough, emphasizing the place, this "land of few people and a great deal of space," as newspaper editor Joseph Kinsey Howard once described Montana. Writers should convey their own perceptions, experiences, and expectations, and not concern themselves with conforming to any inherited—usually European—literary tradition. Moreover, contemporary Montana writers, Hugo stressed, had to come to grips with their past—a past pockmarked by a boom-and-bust economy, of failed dreams, and of more tough times than good. The result was the emergence of a dissenting group of young and extremely talented writers—writers who, by carving out their own niche, have provided a variant voice to traditional western American literature.

Hugo's penumbra extends to many of the writers excerpted in *The Last Best Place*. Writers who have distinguished themselves by charting the new course western literature has taken in the last quarter century: people such as James Welch, a native Blackfeet, whose stories of his own past and the travails and possibilities of the Native American in a now lost world have gained widespread critical acclaim; the detective novelist James Crumley; author and screenwriter Tom McGuane; novelists and essayists Rick DeMarinis, Richard Ford, Cyra McFadden; and William Kittredge; plus a dozen or more prominent poets. Toss in other prolific and much-lauded Montana writers such as Norman McLean, Ivan Doig, and A. B. Guthrie, and the *Los Angeles Times* is easily justified in its intoxication over Montana literature. *The Last Best Place* is a valuable introduction to the skills of these notable authors and is worth the price merely for the inclusion of their excerpted pieces.

Yet this work provides much more than the genesis

and evolution of a modern revolt—conscious or unconscious—of a few upstarts within a literary tradition; it is also a study in how, over time, many different peoples have responded to Montana's seemingly limitless space and natural resources, its sublime landscape, and the relentless, unforgiving climate. The early chapters which contain Native American myths—some written down for the first time—and accounts by the first Whites to gaze upon the land, and then attempt, with mixed results, to tame it, are particularly captivating.

William Kittredge, one of the two editors of this anthology, states in summation of one of his introductory essays that, "[w]hat we find in these stories, over and over again, is talk of home, lost or sought after, or in some conditional way discovered or rediscovered—the possibility of a coherent life in a last best place" (p. 765). For those still searching for this much coveted though elusive possibility, they need go no further than *The Last Best Place*.

KEITH EDGERTON  
University of Montana

*Vanguard of the Valley: A History of the Ten Sleep Country.* By Faye V. Bell. Published by Author, 1987. Illustrated. Bibliography. 530 pp. Paper.

As the author indicates in the preface, this volume is the culmination of some twenty years of collecting, researching, and writing. The sheer amassing of historical details has resulted in what the author calls a "comprehensive history" covering "one hundred sixty-five biographies of prominent men and women" representing "trailblazers, the pioneers, the settlers, and the plodders."

While the book contains numerous biographical sketches of the significant and even the historically less significant, it is considerably more than a biographical reference. However, the concept of each generation and each individual as a "vanguard" is pivotal to Faye V. Bell's intent: reminding her readers that today's generation is the "spearhead" and "forerunner of tomorrow."

The organizational scheme for this work is essentially chronological, beginning with a chapter written by the author's brother, Justin B. Moses, on the area's "Geological Formations." To begin with the land and its formation certainly makes sense; however, the lengthy and largely technical chapter may deter some readers, especially considering the absence of photographs. To his credit, Mr. Moses attempts to circumvent this problem



by providing readers with a travel narrative, complete with references to mile markers on highways in the area.

For readers considerably less familiar with the Ten Sleep Country than the author, a legitimate question occurs: "What is meant by Ten Sleep Country?" Of course, the author does not attempt to provide boundaries for this country, but she does provide a helpful map (p. 69).

From the geological chapter, the author proceeds through obvious historical periods: "Indian Nations," "Territorial Connections," "Settlement," and subsequent eras, such as the twenties and thirties, down to the eighties.

This chronological treatment provides a valuable frame of reference, especially when seen in contrastive focus with events in U. S. history which impacted Wyoming. Occasionally, it is not clear, as in the section dealing with "Indian Nations," which is dealt with in five pages, why some topics are given relatively sparse attention.

Counterbalancing this occasional unevenness in treatment is one of the author's strengths: riveting our attention to the ebb and flow of social history in the Ten Sleep Country. Included are such topics as territorial life style, the cabin, entertainment, women's fashions, changing technology, churches, etc. Concurrent with the social history are interesting accounts of well known personalities, such as the Wild Bunch, and incidents, such as the Spring Creek Raid. Narratives of lesser known figures, such as Tuck Keaton who supposedly rode with Quantrell's raiders, enhance the book.

Other features which enhance the book include: a variety of photographs drawn from local families; U. S. Census reports; maps of the Ten Sleep community over a period of years; lists of legal documents, ranches, businesses, and veterans; biographical appendixes that chronicle numerous families and individuals who have lived in the Ten Sleep area.

While one might wish for an index and a more complete bibliography, the book's comprehensive nature has led the author and the reader down many more trails than might have been expected. For readers interested specifically in the Ten Sleep Country, Faye V. Bell's book will provide an illuminating and interesting source.

ROBERT A. CAMPBELL  
*University of Wyoming*

*Growing Up With the Country: Childhood on the Far Western Frontier.* By Elliot West. Albuquerque: University of New Mexico Press, 1989. Illustrated. Index. Notes. Bibliography. xxiv and 343 pages. Cloth \$32.50. Paper \$16.95.

With his new book about children on the Western frontier, Elliot West single-handedly sets out to create another genre for Western historians who may be weary of researching mining camps, Indian treaties, town-building, wagon trains, and outlaws. *Growing Up With the Country* is the first book-length study of children, defined as persons under the age of fifteen, who pioneered the Western landscape. The author's research focuses on children's impressions of a challenging world utterly foreign to their parents. The book is broad in scope and relatively comprehensive with ten chapters and short personal vignettes of children as famous as Mari Sandoz and as unknown as Caesar Brock. The most innovative chapters focus on perceptions of the frontier, family and community, children's health, and the impact of this first generation of youthful Westerners who "would live through the country's pioneer stage to find themselves in a different West, a region of narrowing limits, where dwindling resources were pulled beyond their reach or kept firmly in the grasp of others" (p. 259).

Unfortunately, in direct contrast to recent historiography that describes minorities and their assimilation on the frontier, West writes nothing about Native American and Hispanic children already living in the West nor does he write about immigrant children. He purposely concentrates "almost entirely on white families who came into the West from elsewhere in the United States" (xix). In the hands of a less skillful historian, such a blatant omission of significant material would seem parochial. West explains his selectivity based on the availability of primary source material for White children and the difficulties in finding first hand accounts for minority youngsters. Despite the book's lack of attention to ethnicity, West writes in a highly readable fashion that will make this work endure as a reference book and as a point of departure for future scholarship.

Because many children died along the overland trails, or they died of disease when California and Oregon had been reached, West eloquently describes the passion and pain of mothers and fathers who bitterly questioned their own motivations for uprooting their families. The chapter "Suffer the Children" is a poignant synopsis of children's diseases and deaths with useful statistical charts. He persuasively argues, "Until its children are heard, the

frontier's history cannot be truly written" (p. 245). In countless phrases and descriptions, West allows the children to speak for themselves in vernacular language that is both brief and descriptive as in the chapter on family and community which explains the evolution of powerful pioneer bonds meaningful relationship of children to their landscape. Children's racist attitudes towards minorities and immigrants, however, are not described. Nor does the author fully explain how boys and girls allowed to wander freely and perform a multitude of difficult tasks and chores could grow into adults with such rigidly defined occupational and sex roles.

The author's notes are extensive, and he draws intriguing conclusions about the relationship between pioneer children seeing a new world with few boundaries, and their parents' passion to replicate the gentility and culture they had left behind. West explains, "Out of this mingling came . . . the most distinguishing characteristic of Western childhood—its ambiguity" (p. 253). The author has tried to "recapture some sense of what the frontier looked and felt like from two or three feet off the ground" (xviii). Because of his careful research and excellent integration of child psychology and family dynamics with historical narratives, *Growing Up With the Country* is an important book. West sheds new light on the pioneer experience and the evolution of our national character. He proves unmistakably that the true settlers of the West came as families whose children played a crucial role in the success or failure of the family enterprise.

ANDREW GULLIFORD  
Middle Tennessee State University

*A Fair Chance for a Free People: Karl E. Mundt, United States Senator.* By Scott Heidepreim. Madison, South Dakota: Karl E. Mundt Historical and Educational Foundation, 1988. Index. Notes. Appendices. Illustrated. x and 253 pp. Cloth.

Best known for his staunch anti-communism, South Dakota's Karl Mundt served in the Congress for more than three decades. Along with Congressman Richard Nixon, a fellow member of the House Un-American Activities Committee, Mundt pursued the celebrated investigation of Alger Hiss and sponsored legislation that culminated in the McCarran Internal Security Act of 1950. In 1954, while chairing the Army-McCarthy hearings, Mundt permitted the Wisconsin senator ample oppor-

tunity to disrupt and prolong the proceedings. In his various investigations, Mundt benefited from close contacts with J. Edgar Hoover, and in 1955-56 even tried to organize a presidential boomlet for the F.B.I. Director.

In this political biography, lawyer-historian Scott N. Heidepreim reminds us that there was more to Mundt than anti-communist zealotry. The only son of a small town hardware dealer/banker, Mundt inherited his father's self-confidence, his interest in national issues, and his flair for speech and debate. After graduating from Carleton College, he became a highly successful speech and debate coach. Mundt helped found the National Forensic League, promoted himself regionally as a speech maker, and ultimately moved into elective politics. His gifts for debate and sloganeering would bring him both applause and condemnation at the national level. Mundt coined the phrase "truth squad" for the select group of Republicans (such as himself) who followed Harry Truman on the campaign trail in 1952, correcting the President's misstatements about the GOP. He, too, first encapsulated the Republican attack themes of that year—Korea, communism, corruption—under the chemical formulation of  $K_1C_2$ .

A self-described "insulationist" and supporter of the America First campaign before Pearl Harbor, Mundt emerged as an ardent internationalist after World War II. Possibly inspired by his boyhood idol, William Borah of Idaho, he proposed a United Nations Air Force that could effectively enforce the peace. At the same time, he sponsored the Smith-Mundt Act promoting the Voice of America and student exchange programs. Hoping to encourage agriculture and tourism in his home state, Mundt advocated an expanded Food for Peace program and the locating of the permanent UN headquarters in the Black Hills areas of South Dakota, Nebraska, and Wyoming.

Although normally identified with the Republican Right, Heidepreim's Mundt was in fact a closet political pragmatist. When he pioneered the "southern strategy" for the GOP by appealing to southern Democrats on the civil rights issue, he was more interested in winning elections than in establishing ideological purity. On farm questions, so vital to South Dakota, a "liberal" Mundt drew upon a tradition of agrarian discontent dating back to the late 19th century. In 1952, he supported Dwight Eisenhower rather than Robert Taft for his party's presidential nomination, both because he saw Ike as the more likely winner and also as the better "salesman" for the GOP. Taft's reservations to high agricultural price supports especially troubled the South Dakota senator. When Eisen-

hower's Secretary of Agriculture, Ezra Taft Benson, tried to place American farming on a free market footing, Mundt emerged as perhaps his most vehement intraparty critic. Indeed, the South Dakotan's closest political call came in 1960, when Democrat George McGovern (aided by Wyoming's freshman Senator Gale McGee) mounted a stiff challenge based largely on the unpopular farm program of the outgoing Eisenhower Administration.

Heidepreim fleshes out our understanding of an intriguing regional and national politician. While *A Fair Chance for a Free People* is not the definitive biography, it is a good start. With the sponsorship of the Mundt Histori-

cal and Educational Foundation, Heidepreim mined the rich, well-organized Mundt Archives at Dakota State College. One might wish that he had ventured into other archival holdings and that he had made some more systematic attempt to place Mundt in the context of the broader postwar conservative movement. For several years to come, however, *A Fair Chance for a Free People* is likely to remain an invaluable source for students of Karl Mundt and recent South Dakota politics.

WILLIAM HOWARD MOORE  
*University of Wyoming*

## BOOK NOTES

*Wyoming: A Centennial Bibliography.* By Roy Jordan. Powell, Wyoming: Northwest Community College, 1988. ii and 77 pp. Paper.

Roy Jordan has compiled a bibliography of Wyoming sources along with materials which help us place Wyoming into the larger context of the American West. Included are state and federal documents, as well as unpublished dissertations and theses, oral history interviews, manuscript collections, pamphlets, and a general bibliography of books and articles.

*From Pittsburgh to the Rocky Mountains: Major Stephen Long's Expedition 1819-1820.* Edited by Maxine Benson. Golden, Colorado: Fulcrum, Inc., 1988. Illustrated. Index. Bibliography. Maps. xxvii and 410 pp. Cloth \$20.00.

Major Stephen Long in 1819 and 1820 led an expedition of the American West sponsored by the United States government. Accompanying Long were naturalists, topographers, and artists. Resulting from the expedition were the first view of the Rocky Mountains and the labeling of the area as The Great American Desert. The 1823 report is published in this abridged one volume edition.

*Sacred Places: American Tourist Attractions in the Nineteenth Century.* By John F. Sears. New York: Oxford University Press, 1989. Illustrated. Index. Notes. viii and 43 pp. Cloth \$24.95.

According to *Sacred Places*, tourism established itself in America during the 1820s and 1830s. A revolution in

transportation at that time made tourism possible. The new steamboats, canals, and railroads, enabled the country's urban, commercial, and industrial center to develop, which created a prosperous middle class—potential tourists. Once established, tourism then helped define America as a special place and Americans could take pride in the special features of their country. Tourist attractions covered in this book include Niagara Falls, Mammoth Cave, American cities, and Yellowstone National Park.

*Nebraska Folklore.* By Louise Pound. Lincoln: University of Nebraska Press, 1989. Appendix. x and 243 pp. Paper \$7.99.

Louise Pound was an authority in the field of folklore. *Nebraska Folklore*, first published in 1959, is a collection of lore about such topics as caves, snakes, rain making, cowboy songs, and Nebraska strong men. In the appendix, the author examines folklore and dialect and the scholarly study of folklore.

*Buffalo Bill and His Wild West: A Pictorial Biography.* By Joseph G. Rosa and Robin May. Lawrence: University Press of Kansas, 1989. Illustrated. Index. Bibliography. x and 243 pp. Paper \$14.95. Cloth \$27.50.

This pictorial biography of Buffalo Bill Cody contains more than 150 photographs, many never before published. It also includes a narrative which documents his life from his boyhood days to the years of the Wild West show. According to the authors, their purpose is to reveal the man behind the myth.

*The UY Ranch: Reminiscences of a Montana Stockman's Wife, 1912-1921.* By Helen Addison Howard. Manhattan, Kansas: Sunflower University Press, 1989. Illustrated. Index. xv and 197 pp. Paper \$17.95.

In 1934 Helen Addison Howard interviewed Carrie Cather about her life on the UY Ranch in Montana between 1912 and 1921. She put the manuscript aside, not getting back to it until 1980. The author then broadened the scope of the work from that of one woman's experiences, to include a study of the settlement, stock-raising, and agricultural development of Montana during the years Cather lived at the UY Ranch. The book presents a realistic look at life in the West as well as women's influence in shaping the history of the area.

*Yellowstone: A Wilderness Besieged.* By Richard A. Bartlett. Tucson: University of Arizona Press, 1989. Originally published 1985. Illustrated. Maps. Index. Notes. Bibliography. xiv and 437 pp. Paper \$16.95.

*Nature's Yellowstone.* By Richard A. Bartlett. Tucson: University of Arizona Press, 1989. Originally published: Albuquerque: University of New Mexico Press, 1974. Illustrated. Maps. Index. Notes. Essay on Sources. xiii and 250 pp. Paper \$10.95.

The University of Arizona Press has published two books by Richard A. Bartlett about Yellowstone Park. In *Nature's Yellowstone*, the author, professor emeritus of history of Florida State University, Tallahassee, looks at the formation of the area, the flora and fauna, the first inhabitants, the first White men to enter the park, the early explorations, and finally the creation of Yellowstone National Park. *Yellowstone: A Wilderness Besieged* continues where the first book ended. It is a story of people, those who wanted to exploit the park, and those who fought to

preserve it. Both of the volumes provide a "study of ecological, geographical, and political factors that have shaped Yellowstone over the years."

*Kathleen's Book: An Album of Early Pioneer Wyoming in Word and Picture, Centennial Edition.* Compiled by Kathleen Hemry. Casper, Wyoming: Mountain States Lithographing, 1989. Illustrated. Index. 131 pp. Paper \$10.00.

Kathleen Hemry, in this volume, has compiled many articles and poems written by herself and others from 1925 to 1988. Such topics as dry farming, Hemry's teaching experiences in Casper, the Fort Caspar Museum, the 1949 blizzard, the World War II years, and the Hemry family are included. The book is filled with an extensive array of photographs, many taken by Hemry's father, Charles D. Hemry, which provide an interesting look at the early history of Natrona County.

*Historical Atlas of the American West.* By Warren A. Beck and Ynez D. Haase. Norman: University of Oklahoma Press, 1989. Illustrated. Maps. Index. References. Appendix. xlii and 78 pp. Cloth \$29.95.

The two authors in this atlas present a geographical look at the West's unique characteristics from 1536 to 1980. They define the West as consisting of the seventeen states west of the 100th Meridian. Seventy-eight maps are included detailing such items as the West's physical qualities, the explorations of the area, the overland routes, Indian lands, railroads, agriculture and military installations, among others. The main goal of the authors has been "to produce an atlas of the American West for the student, the scholar and the many people who have a general interest in the subject."

# LETTERS TO THE EDITOR

This letter is submitted with the desire to rectify certain information included in "Y'all Call Me Nigger Jim Now, But Someday You'll Call Me Mr. James Edwards: Black Success on the Plains of the Equality State" [Fall 1989]. Prior to the writing of this article and, also, a thesis document of similar subject, the author, Todd Guenther, did *not* interview any member of the Willson family, though several reside in Niobrara County, where he interviewed other more recent acquaintances of James Edwards, and others living elsewhere in Wyoming. This omission is germane to the fact that the earlier members of the Willson family referred to by the author in his article and, presumably, thesis document, were the first employers, as was their understanding, of James Edwards when he initially came to what is now Niobrara County. This association of James Edwards with the Willson brothers' Running Water Ranch continued for thirteen years and nine months.

The subject of the referenced article, James Edwards, was employed March 31, 1903, by Eugene Bigelow Willson and George Luther Willson, brothers and principals in the firm of Willson Brothers, a ranching business established in 1880 in then Laramie County (now Niobrara County), Territory of Wyoming, and continued his association and employment with the Willson brothers' Running Water Ranch until January 1, 1917. James Edwards' first job was considered standard work on the ranch at that time, being at the Harney sheep camp to herd the woolies if they lived or skin them if they died. The pay was the going wage then, \$35.00 a month with food and shelter, such as a sheep camp provided. This information was recorded in the Journal and Ledger books of the Running Water Ranch for those years.

My father, who knew James Edwards from when he first came to the Running Water Ranch, recalled that his family soon came to regard Jim as trustworthy, a good worker, a hard worker and an excellent sheepman. Also, a superb trainer, not a "breaker," of horses. It was never known where he learned these skills with animals, but recognizing those and his leadership qualities, the Willsons eventually entrusted him with the day-to-day operations of the ranch's sheep business.

As the years of their association went along the time came when Jim wanted stock of his own, so the Willson brothers arranged that he run some sheep he bought with their bands. This eventually resulted in a misunderstanding

among them, the "embers" of which were "fanned" by an opportunistic lawyer, and Jim eventually brought a lawsuit against Willson Brothers. This legal entanglement dragged on for about six years, and finally was settled in favor of the plaintiff. This lawsuit was *not* initiated as a quotation by the author of the referenced article infers because ". . . the Willsons refused to pay him a decent wage and threatened to report him to the military authorities if he quit, but that he [James Edwards] finally took them to court and won the case." As cited earlier, the fact is that according to Running Water Ranch records James Edwards was always paid the standard wage paid the equivalent work at that time to any other of the ranch's employees (43 other men were on the Willson Brothers' regular payroll during the time Jim Edwards was).

Another inference in this same quotation by Mr. Guenther has no foundation in fact, that being the threat by the Willson brothers to "report him [James Edwards] to the military authorities . . . ." My father, Eugene Bigelow, Willson's son, recalls that his family never really knew anything about Jim Edwards' background. They were, quite naturally, interested to know something about anyone who eventually remained in their employ for such a long time and who was entrusted with a considerable part of their business. But Jim never volunteered any information to them as to where he had come from and what he had done and they respected his reserve. Jim Edwards was regarded by the Willson family as an honorable, trustworthy, skilled and hardworking man, and the regard was apparently mutual. My Dad recalls that they all ultimately considered the lawsuit they became entangled in as something they would much rather have avoided.

Further, when Jim Edwards wanted to acquire a place of his own, Gene and George Willson encouraged him to take a homestead and surveyed the land for him, as that was one of their earliest trades when they first came to Wyoming in 1870. They did *not* intend, as Mr. Guenther implied elsewhere in this article, to eventually buy this homestead from Jim Edwards. In fact, by 1916 Willson Brothers had completely sold out their sheep business, having in the meantime built up a registered Hereford herd, and had no further need for land in the Harney area, which was ideal sheep country in those early open range days but a considerable distance from the home Running Water Ranch.

Space here has been limited, understandably, for a point-by-point response to Todd Guenther's inclusions in the article regarding the Willson brothers and their ranching operation known as Willson Brothers. Perhaps if Mr. Guenther had taken the care to interview in person or by correspondence a member of the Willson family who had early acquaintance with James Edwards he might have been able to include more accurate and pertinent information with the consideration of his subject.

Thank you for this opportunity to rectify and clarify what I and other members of the Willson family as well as family acquaintances in Wyoming and elsewhere considered erroneous and inadequate information as published in the article. As a grand niece of George Luther Willson I am concerned that, at the least, this information from and about the Willson family as regards their association with James Edwards be included in *Annals of Wyoming*.

Anne Willson Whitehead  
Lakewood, Colorado

It strikes me as being a curious turn of events that Anne Willson Whitehead denigrates my research for neglecting to interview any of her family. In fact, recognizing the value of their information, I requested interviews with Ms. Whitehead (the family historian) and her father in June, 1988, and again in July, 1989, but was never granted an audience. Why does she not mention those requests, or her written response, in the above letter?

That her family's point of view was not included in the article is solely her responsibility and her umbrage unjustified. She refused two opportunities to talk with me. Furthermore, she was familiar with the article prior to publication, knew that it was to be published, and took exception with some of its contents long ago, but would not tell me what she disagreed with, let alone anything else. If she was so concerned, why was she so uncommunicative? If her family is upset regarding the contents of my article they should question Ms. Whitehead's motives and antagonism which are counter-productive.

In the absence of information from the Willsons, I was forced to base the article on several oral interviews, letters, census manuscripts, archaeological information, sheriff's documents, Justice of the Peace dockets and court transcripts, records of the District Court, General Land Office records, and other sources which are commonly used in historical research. Nevertheless, I was and still am eager to learn more about what the Willsons can add to my ongoing research on black settlers in Wyoming.

Therefore, I will now publically tender yet a third request to Ms. Whitehead. If she is sincere in her desire to help create an accurate historical record, which evidence suggests is not the case, will she please share with me all the detailed information she possesses about the Willson-Edwards relationship for use in a more constructive and enduring format than letters to the editor?

Fortunately, the information she provides in the preceding letter does not alter the conclusions of my article and really only refines a few details. Indeed, much of her letter repeats bits of information from the article as though they are new revelations that I overlooked.

In addition to her misleading redundancy, she also quotes one passage out of context. Regarding Edward's lawsuit against his former employers, the Willsons, the information she finds so offensive is immediately followed in the article by a sentence containing the phrase, "if this account is accurate." Doubt is implicit in this statement; clearly, the information in question was not offered as a divine truth. Ms. Whitehead should have recognized this after even a spurious reading of the article. Although the evidence was admittedly tenuous, to ignore any shred of information would have been negligent on my part. I am pleased that Whitehead verified to some degree the accuracy of the lawsuit issue by supporting the evidence that Edwards successfully took the Willsons to court to settle a financial dispute (whether over pay, pasture rent, livestock sales profits, or whatever, remains unclear).

Much of doing history consists of grasping at straws and trying to fill in gaps between facts. A better understanding of the details and events surrounding the lawsuit, which seems to be a sensitive subject for the Willsons today, could have been gained for the article with Whitehead's information had she been willing to divulge it at an earlier date. But, as the late UW History Department chair and member of my thesis committee, Larry Cardoso, advised me after he met with Whitehead in his office and futilely attempted to convince her to meet with me, "You can't force her to cooperate with you. Eventually, you need to take the information you have and publish it with or without gaps, and recognize them as an unavoidable part of doing history."

If Anne Willson Whitehead really wanted her family's information to be used, she should have shared it as requested over two years ago. It is not, however, too late for that information to be included in future publications if she would only agree to communicate with me. For her benefit, my address is Rt. 62, Box 164, South Pass City, Wyoming 82520.

Todd R. Guenther

# Wyoming Statehood CELEBRATION

At Cheyenne, Wyoming.

WEDNESDAY, JULY 23, 1890.

## EXCURSION RATES.

One fare for round trip for all points in Wyoming, Nebraska and Colorado.  
Three Dollars for a round trip from Denver.

The Greatest Exhibition of

## FIRE - WORKS

ever witnessed in the West.

The finest array of Military and Civic bodies that ever moved in a line of march.

The Grandest Public Ball ever Enjoyed by an Appreciative public.

## FREE FREE FREE!

Free Admittance to the Statehood Ball and everything else.

The Great State of Wyoming will be proud for all ages to come, when she reviews the events that will transpire on the 23rd day of July, 1890, at Cheyenne, her Great Capitol City.

Do not miss the opportunity to enjoy a day so

## CHECKERED WITH GREAT FEATS

as to leave a bright picture on memory's wall while life remains with you.

All come and witness the joy of a grateful people and see what they have prepared for your enjoyment.

The best trained

## BANDS OF MUSIC

that ever delighted the listening multitudes.

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## BALLOON ASCENSION

ever witnessed by mortal eyes.

The only thoroughly trained and fully equipped

## COMPANIES OF GIRL GUARDS

in the world.

An hundred and one things to please and delight

Plenty of fine cold ice water at convenient places in all parts of the city.

**Come one, come all and remain all night, and witness one of the greatest Free Exhibitions ever offered on earth.**

Elaborate speeches from noted statesmen from different parts of the United States.

*Cheyenne, Wyo., July 12, 1890.*

Dear Sir:

The citizens of Wyoming will celebrate the admission of the State into the Union on Wednesday the 23d inst.

The ceremonies of the day will consist of a military and civil parade; the presentation of a flag to the State by the women of Wyoming; addresses by prominent men, and a ball and pyrotechnic display at the Capitol in the evening.

It is desired that all the States of the Union should be represented by their Governors, and that the military and civil organizations of Wyoming and of the adjoining States shall participate, and a cordial invitation is extended to such Governors and organizations.

You are cordially invited to be present.

Committee on Invitations,

R. H. REPATH, Secretary.

*U. S.*—Secretaries of all organizations who intend to participate in the celebration ceremonies will please notify John H. Jeffrey, Marshal of the day.

*Wyoming's official statehood celebration took place in Cheyenne on July 23, 1890. On the left is a poster promoting the many events scheduled for the big day. Above is an official invitation to the celebration.*





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# ANNALS of WYOMING

Volume 62, No. 3

Fall 1990



1890-1990  
  
**WYOMING**  
**CENTENNIAL**  
A LASTING LEGACY.

In 1895 the state of Wyoming established a department to collect and preserve materials which interpret the history of Wyoming. Today those duties are performed by the Division of Parks and Cultural Resources in the Department of Commerce. Located in the department are the State Historical Research Library, the State Archives, the State Museum, the State Art Gallery, the State Historic Sites, and the State Historic Preservation Office. The Department solicits original records such as diaries, letters, books, early newspapers, maps, photographs and records of early businesses and organizations as well as artwork and artifacts for museum exhibit. The Department asks for the assistance of all Wyoming citizens to secure these documents and artifacts.

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*ABOUT THE COVER*—"Going to Town" is the title of this work painted in 1977, by Nick Eggenhofer, German-born artist (1897-1989). Inspired by the American West and Buffalo Bill's Wild West Shows, Eggenhofer came to the United States in the 1920s, and studied at Cooper Union, New York City. During his career it is estimated he produced more than 30,000 Western illustrations. He spent the last years of his life in Cody, Wyoming. Courtesy Wyoming State Museum (WSM).

# ANNALS of WYOMING

Volume 62, No. 3  
Fall, 1990

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ANNALS OF WYOMING was established in 1923 to disseminate historical information about Wyoming and the West through the publication of articles and documents. The editors of ANNALS OF WYOMING welcome manuscripts on every aspect of Wyoming and Western history.

Authors should submit two typed, double-spaced copies of their manuscripts with footnotes placed at the end. Manuscripts submitted should conform to A MANUAL OF STYLE (University of Chicago Press). The Editor reserves the right to submit all manuscripts to members of the Editorial Advisory Board or to authorities in the field of study for recommendations. Published articles represent the view of the authors and are not necessarily those of the Division of Parks and Cultural Resources, Department of Commerce or the Wyoming State Historical Society.



## TABLE OF CONTENTS

WYOMING: A New Centennial Reflection .....	114
by Roy A. Jordan	
The Air Corps, Air Mail, and Cheyenne in 1934 .....	131
by Gerald M. Adams	
WYOMING SCRAPBOOK .....	140
Wyoming Women as Jurors	
by Rick Ewig	
Recollections of One of the Grand Jurors of Albany County .....	143
by Sarah Wallace Pease	
BOOK REVIEWS .....	144
Smith, <i>The View from Officers' Row: Perceptions of Western Indians</i> , reviewed by John D. McDermott.	
Calloway, <i>New Directions in American Indian History</i> , reviewed by Steven C. Schulte.	
Benjamin, <i>Adventures in Old Wyoming, 1879-1884</i> , reviewed by Jean Brainerd.	
Adams, <i>The Post Near Cheyenne: A History of Fort D.A. Russell, 1867-1930</i> , reviewed by Paul L. Hedren.	
Dickinson, <i>A Wyoming Mosaic: People and Places</i> , reviewed by Robert A. Campbell.	
BOOK NOTES .....	148
LETTER TO THE EDITOR .....	149

ANNALS OF WYOMING is published quarterly by the Division of Parks and Cultural Resources, Department of Commerce. It is received by all members of the Wyoming State Historical Society as the official publication of that organization. Membership dues are: Single \$5; Joint \$7; Institutional \$10; Life \$100; Joint Life \$150. Current membership is 1,853. Copies of previous and current issues of ANNALS may be purchased from the Editor. Correspondence should be addressed to the Editor. ANNALS OF WYOMING articles are abstracted in Historical Abstracts and America: History and Life.

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# WYOMING: A New Centennial Reflection



COURTESY, STATE HISTORIC PRESERVATION OFFICE (SHPO).

**by Roy A. Jordan**

*The Cheyenne Gunslingers and the Stealth Fighter crossed paths in Cheyenne during July, 1990.*



One hundred years of active life deserves a celebration, but it also needs something more. The risk is allowing this celebration of ourselves to become only a confirmation. For Wyoming, 1990 is another of those crossroads in history when the path to the future has a chance to be seen a little more clearly.

Our path most often has been that of our past. We have defined ourselves by taking our values from our tradition; we confirm our own history. When a culture amounts to a collective popular memory there is the danger of becoming identified with your own ancestors.

This crossroads can be the occasion to realize that we are not our past, that we are not only a state of mind, and that we have more to do. Wyoming history has become almost a contradiction in terms. Wyoming's history is a timeless world of the West "as it ought to have been." It creates a culture that informs us that little can be changed because it never has changed. Romantic history is dangerous history.

The myth of an innocent pioneering has left a false impression of the uniqueness of our history; that "frontier" myth has been stressed so long as to make the state colorful, but it also causes it to be irrelevant at the same time. Convinced quaintness has a difficult time dealing with modern world problems. We have driven ourselves into something of a cultural cul-de-sac.

Our own inner certainties have not yet opened to an assessment of the real human loss shown to us by Wyoming ghost towns, abandoned school houses, lonely homesteads, and faded false front businesses. Fragile man-made architecture that has gone with the wind is not picturesque so much as it is part of our other unacknowledged and tragic history.

This centennial year also can be a time of recognition. We can fully acknowledge the steady contradiction of a male-dominated culture which at the same time has championed the myth of female rights. This culture has not been in touch with the idea of the female as an active participant in society.

We also can give Indian people a voice. They have been seen as props in the Wyoming stage play; they are not props nor are they artifacts and relics. Indians have their own sovereignty and rights, their own history and culture. The reservation will do more for its people and it will become more powerful; Indian people in Wyoming are not going away.

Hispanic braceros, Chinese laborers, Blacks, and ethnic immigrants have not had a clean, tolerant time of it in Wyoming. Wyoming proudly points to its common culture, but the homogeneity that made it possible has not always been benevolent.

Our past culture has told us that we have been dependent on the federal government and on outside, "foreign" industries. So we were. From the very beginning we have made positive use of the source with the most money to pay for what we did not have. We have been well served, in this sense, by our own politicians, crafty enough to use their consummate talents to get others to invest their money. The reality of this "colonialism" is that we have benefitted from our relations with the federal government. And, if it were not for those "outside" extractive industries we would not have that huge stockpile of severance money that has allowed Wyoming to have the ninth largest investment portfolio in the nation. And, we can concede the fact that if the federal government did not own half of the land within Wyoming's borders (another favorite lament) we would not be eligible to receive those large royalty payments. When looked at from this positive perspective, perceptions begin to change drastically.

Another reality we can admit is the set of dismal social statistics with which a romanticized history is not prepared to deal: a tremendously high suicide rate, a traditionally high infant mortality rate, extraordinarily high teenage pregnancy rate, exceptionally low expenditures for public welfare, grossly inadequate care for the mentally ill, high divorce rate (40% higher than the U.S. average), one of the highest mileage death rates in the nation, high death rate in almost every category, and the highest overall drinking rate in the nation. These are not small problems, they are big problems. They are not new nor unique nor quaint. Our culture, and not our geography, created them. It can be fashioned to solve them.

Borders are peculiar things. Wyoming and all the straight-lined states in the West are creations of politics and the immediate needs of federal politicians. A territory became a territory and a state a state when and where it did because someone needed it done that way, and not because it was the result of some popular desire of the people living there or that it conformed naturally to the physical topography of the region.

Wyoming held its state constitutional convention in 1889, at about the same time as Montana and Idaho. Actually, the tier of six states in the Northwest, the Dakotas, Washington, Montana, Idaho, and Wyoming all had conventions and statehood in 1889 or 1890. All had significant amounts of straight borders.

None of them listened to John Wesley Powell, the man who created the U.S. Geological Survey and directed it for thirteen years. He urged them to lay out their boundaries along natural water drainage divides so that the timberlands, grazing lands, watersheds, and irrigated water right lands could be managed effectively and with a minimum of contention either between states or within a state. Such a solution made too much sense; it could not be right. It was right.

Wyoming, for one, could have been spared grief if someone would have harkened to him. But, Wyoming was admitted to the Union on July 10, 1890, because President Benjamin Harrison wanted more Republican support and so that he could make more federal appointments. Idaho had been admitted seven days earlier for the same reasons. The open West was, as much as anything, a Manifest Destiny battleground for federal politicians to attain political party strength. That was, indeed, much of the purpose of the West as seen by eastern politicians.

All political leaders felt free to use their power to create territories and states when they felt the need of their votes; Nevada's new state constitution was hurriedly telegraphed to Abraham Lincoln when he thought he needed their Republican votes. He was probably right. Nevada was admitted October 31, 1864.

Colorado had come into the Union of States in 1876 as part of the Reconstruction after the Civil War. Actually it was as part of the political "deal" to end northern reconstruction of the South and to return the White South, and the Black man, to their previous positions and social relationships as before the war.

There was a long dry spell for new states, and then the omnibus creation of six states in 1889-1890. Among those six, North and South Dakota could well have been one state, but as two states the national Republican party got four senators instead of two. Those were the kinds of considerations that decided state size and boundaries.

In Congress they feared for a while during the 1890s, in light of Wyoming's Johnson County War in 1892, the poor state economy, and its low population, that they had made a mistake granting Wyoming statehood. The nation's depression in 1893 and Congress' own preoccupations allowed them to forget Wyoming.

Utah was finally admitted in January, 1896, after they had disavowed the practice of polygamy. They came in without a section of land which had earlier been used to "square" Wyoming. Wyoming's political borders did have a little religious prejudice sprinkled in; Congress' dislike for Mormonism was the reason for detaching what was to become Uinta County and the Green River coun-

try. Wyoming's later oil, gas, and trona industries were just barely Wyoming's and the fossil fish beds were nearly part of someone else's West. That small segment of land also had already come under Mormon irrigation from the Bear River, so Wyoming was to benefit in several ways because of a federal religious and political bias.

The "Indian Territory" of Oklahoma was allowed statehood in 1907, only after its Indian population had been pushed onto small reservations of supposedly worthless land. Arizona and New Mexico were not brought in as states until 1912. There earlier had been attempts to bring them in as one state, but "Anglo" Arizona did not want to share political power with "Chicano" New Mexico. The wrangling perturbed Congress enough to let the territories wait.

If Wyoming as a new state caused the U.S. Congress to have fleeting second thoughts, Wyoming as an official territory—a place on track to statehood—bothered them

even more. Even though the "Organic Act" creating territorial status was signed by President Andrew Johnson on July 25, 1868, Wyoming was not truly organized as a Territory until April 17, 1869, nine months later. That too, was due to politics.

In the first place, Wyoming Territory was established to accommodate a private enterprise, a railroad—the Union Pacific. Actually, of course, it was not too "private," for it was massively subsidized by the federal government with loans, land grants, and outright cash subsidies. Wyoming was built on federal "intervention" and financial support and that fact has been a lasting legacy. In any event, the first non-Indian pioneers in Wyoming were not homesteaders on their quarter section of bottom land, but the gandy-dancers, head spikers, and tie hacks pounding their way across the barrens of southern Wyoming. The railroad preceded population; it created the first towns, drew up the first town charters, and was



*The coming of the Union Pacific Railroad to Wyoming was one of the most significant events in our history. The railroad brought the first permanent Euro-American settlers, who formed the towns which were the basis for the establishment of Wyoming Territory. Above is the first engine on the Union Pacific.*

the first police force. The Union Pacific has always been a major industry and employer in the state; in 1990 it is still the largest single private employer in the state.

The pure and simple of national politics at Wyoming's creation was that President Andrew Johnson, who had succeeded to the office upon Abraham Lincoln's assassination, could not get his territorial appointees confirmed in the U.S. Senate. He had been impeached by the House only two months before the passage of the Organic Act, and the Senate had fallen just one vote short of convicting him and sending him home to Tennessee. Wyoming was not to be organized until a new president, Ulysses S. Grant, offered a new list of federal appointees. It was not that Johnson's list of appointments were wrong or bad or even from the wrong political party, it was just that they were from the wrong man at the wrong time.

This political maneuvering in Washington, D.C. that was going to affect the history and attitudes of Wyoming took place in the midst of other events important to the nation as well as to Wyoming. States of the old Confederacy were being readmitted to the Union: Arkansas on June 22, 1868 (over Johnson's veto); North and South Carolina, Louisiana, Georgia, Alabama, and Florida on June 25, 1868 (over Johnson's veto); the fourteenth amendment to the U.S. Constitution was adopted by the vote of twenty-nine states (including those newly admitted Southern states) on July 20, 1868; the Freedman's Bureau, set up to provide education and social services to the freed slaves, was discontinued on the very same day that Wyoming was carved out of parts of Dakota, Utah, and Idaho, July 25, 1868 (Wyoming came close to acquiring the title "Cheyenne" in the midst of congressional debate).

Gold was discovered at South Pass City in October, 1867, Wyoming's biggest gold strike ever; almost on the same day, Alaska was formally transferred by Russia to the U.S. at a service in Sitka; a public dinner was given in New York City on April 18, 1868, for Charles Dickens on his second visit to the United States; campaigns for woman suffrage were being conducted in Kansas in September and October, 1867, by the famous and durable trio of Lucy Stone, Susan B. Anthony, and Elizabeth Cady Stanton. Using celebrities then just as special interest causes do today, George Francis Train, the model for *Around the World in 80 Days*, was presented to the crowds, along with the Hutchinson Family Singers.

Even though those indomitable ladies came to Wyoming years after woman suffrage was recognized here, there were no suffragette meetings in Wyoming, no campaigns for the right to vote, no demonstrations. It has been well documented by a number of scholars that woman

suffrage was recognized in Wyoming by men for male reasons. Granting women the right to vote here was little more than a public relations gimmick by the all male territorial legislature in the atavistic hope of luring a few more settlers to an almost depopulated Wyoming. When the Union Pacific railroad left the western border of Wyoming bound for that ever moveable rendezvous with the Central Pacific, it took most of Wyoming's people with it. That first territorial legislature in Cheyenne was all male and there was never a woman legislator in all the territorial years of 1869-1890. The legislators were also all Democrats, and that was to be the last time such a thing ever happened; a defining characteristic of Wyoming has been its reflexive Republicanism.

Just as important as knowing that Wyoming achieved female suffrage is to know that it was almost lost. Again, hard politics was the cause, not just the mechanics, by which a reform came about. In the second session of the territorial legislature in 1871, the Democrat majority decided that the experiment had not worked—the move had not attracted population (the census for 1869 showed 8,014 people in the territory; 1870 census figures were 9,118 and only 17% female), and what was worse the women were voting Republican (the "Australian" secret ballot was not in effect in Wyoming until 1890). On top of that, they wanted to embarrass politically the appointed Republican governor, John A. Campbell. They ended by embarrassing themselves. The bill to rescind woman suffrage was passed, Campbell vetoed it (due more to his own political rivalry with the legislature than a conviction of social reform) and the legislature fell just one vote shy of overriding his veto. Suffrage was saved in a process that had little to do with women's rights.

In the process, the Democratic party got one of several black marks from which they have never recovered. They were perceived in Wyoming as the party opposed to women—at least in politics. The Democrats deepened their problems at the next crucial turning point in Wyoming history, they went on record as opposing Wyoming statehood. They were doing it, of course, because Wyoming would surely come in as a Republican state and therefore benefit both the national and state Republicans. Even their state Republican opponents were amazed at their lack of political foresight. At one stroke, the Democrats made themselves appear disloyal to the new order being formed; they appeared to be irrelevant. And so, mostly, they have become. Republicans established their leadership and positive Wyoming attitude at the same time that the Democratic party declined. The Republicans have never lost that ascendancy.



The election of 1986 was only the fourth time since statehood that Democrats have had more than two of the five statewide offices elected at once. In presidential elections from 1892 to 1988, Wyoming has voted Democratic only eight times. The Democratic party has controlled the Wyoming legislature only twice (1934 and 1936) since 1890; other than that, it has never had a majority in the state House and only once in the state Senate (1958). The most lopsided Republican legislative term was in 1920 when the Senate was twenty-two to three and the House was fifty-three to one member.

In politics, as in the culture, it is not what you in fact favor or hinder, it is what you appear to champion or obstruct. That is how mythologies and lifestyles are created and sustained. Wyoming Democrats appeared to be less than loyal to the state's orthodoxies. Even to people who have lost the distant memory of who favored what on woman suffrage and statehood, Democrats in this state have never quite been able to shake the stigma of being something less than "patriotic."

Politics and the perceived posture of its parties and leaders formed the social culture of this state and not the other way around. Politics preceded the culture and developed the part of Wyoming that is a state of mind. This centennial year is a good time to recognize that cultures are created—organic, living, and changeable—and this state's culture, its expression of itself, came early and has changed little. Wyoming has always tended to see itself as a new land, and while that self-evaluation is superficial, in a sense it is right. History came late to Wyoming and left early.

If we are facing the reality of old myths in this centennial year, then we should, as a state, finally recognize that the heritage of the earliest woman suffrage which we have pointed to so proudly rests on a flimsy foundation of less than distinguished politics. We need to forsake much of the "sunbonnet" myth of women's primary place in the forming history of Wyoming. The reality of the Equality State is that in 1990 women still earn fifty-four cents for every dollar a man earns; until recently Wyoming did not approach the ratio in other states of women to men in politics and women are still not even close to their percentage of the population. Esther Morris, the "first woman judge" in the nation was appointed to her job, not popularly elected; she held the position of justice of the peace for eight and one-half months and she did not get reappointed. Nellie Tayloe Ross, "the first female governor in the nation," was elected to fill out the term of her popular husband. She performed well, but lost in her bid for a full four-year term. Wyoming has had no

women elected to national office, and it was not until 1910 that the first woman was elected to the Wyoming Legislature. There has never been a woman on the State Supreme Court and it was not until 1982 that a woman was first appointed as a district judge. Two women have been elected secretary of state, two as state treasurer, and one as state auditor since statehood in 1890. There were no women delegates to the state constitutional convention in 1889. In a recent survey taken by the National Organization of Women, Wyoming ranked thirty-ninth in women's rights.

Woman suffrage may have slightly delayed statehood. Some U.S. senators, such as John Morgan of Alabama, were reluctant to take women off their pedestals as the Madonna of the Plains, saying that the ballot was an "immoral influence" and that he did not "want to see her drawn into contact with the rude things of this world where the delicacy of her senses and sensitivities would be constantly wounded." Involvement in the issues of the day would "degrade her from that high station that God has placed her." Those phrases have always had the ring of code language for not allowing women access to equal authority, rights, and power. It would be convenient and even patriotic to say that Wyoming was more enlightened than that. But, that would be an exaggeration. By 1890, woman suffrage had become a habit, a habit of politics if not of the heart. We were firm that we should enter the union with female voting rights intact, but the state's defense of the institution was passive, it had not done any harm. Anyway, more territories and states were allowing it (Colorado in 1894), and we saw no reason to eliminate something that had little practical state significance, and since most Wyoming women voted Republican anyway it made political sense to the state's party of choice.

Wyoming's low population did not hurt the state much as we made the move for statehood in the Congress; Joseph M. Carey, the territory's delegate to Congress in 1889-90, made enough believable but stretched misrepresentations about the population, climate, and resources here that Congress took his word. Who would come to Wyoming in the middle of a hot summer's debate to check his figures?

However, low population, harsh climate, few available resources, and a collection of overly rowdy people (nearly all male) did almost bring an end to Wyoming Territory as an official place in 1871. President Grant was so dissatisfied with the unruliness of the White people, the worrisome Indian tribes, and the apparent uselessness of the huge quadrangle of land, that he gave serious

consideration to dismantling Wyoming completely and giving the land parcels back to the original territories of Utah, Idaho, and Montana. Luckily for Wyoming's future, cattle herds began to come and they would establish a sense of stability and order. But, these two events were going to leave a lasting impression here. Wyoming's politics and culture were going to be defensive and angry toward the federal government for so cavalierly considering our demise; fear of the political and economic fragility of Wyoming has remained to the present day.

Cattle, ranching, and the cowboy earned a special place in Wyoming's collective consciousness, but perhaps for political reasons. Taken together they were seen as something of a "sagebrush savior" because they had helped to ensure that Wyoming would be Wyoming. That implicit, unarticulated cultural judgment still has an immensely strong polar pull for people in Wyoming.

The bald reality says that we may as well deal with the fact that Wyoming always has had a low human count. The state ranks last in numbers and has continuously lingered in that vicinity. It very likely always will, and the state can save itself turmoil and wasted money on settlement enticement schemes. Geography has certain imperatives.

When the fifty-five delegates to Wyoming's constitutional convention met September 2, 1889, they were not completely taking their fate into their own hands. About half of the document was taken from other, newly-admitted western states; the reasoning being that if their language had unlocked the door of statehood for them, it should work for us as well. Much of the state constitution was also a direct carry-over from the federal constitution and that also made good sense. This kind of help is why the convention could complete its work in only twenty-five working days.

The document itself, in the first sentence of Article One, boldly asserts a "right" that even the U.S. Constitution framers did not include, the "right to alter, reform or abolish the government." Of course, the state of Wyoming does not have this power, nor does any other single state. Only the federal government can abolish the government, and actually there is no provision for them to abolish a state nor alter its boundaries (those boundary lines again).

When the state's constitution was written it carried several concepts that are essential to the very fabric of this nation. Federalism, for instance, is the principle of the sharing of powers between the central government and the individual states, and, we should note, the various Indian tribes. It was the biggest single governmental

invention in the U.S. Constitution. It was the contributions of James Madison of Virginia, and it has ruled the relations between Washington D.C. and the states, as well as that of the states to each other, to this day.

Wyoming needed to acknowledge federalism and its controlling aspects just as it had to demonstrate to Congress that the new constitution contained a "republican form of government." But, several of the provisions Wyoming wrote into its basic law were not so necessary. Bicameralism, the principle behind having two chambers of representatives, a House of Representatives and a Senate, is one example. Forty-nine states today have such a structure and it was the normal United States model to follow. But Nebraska altered their system long ago to a unicameral or one-house legislature and it has served them well and it is fully constitutional and "republican." We could even have had a parliamentary system, if Congress would have approved it. Many states have called new state constitutional conventions over the years, which is their right under the principle of federalism, and several have nearly embraced a unicameral system. Wyoming has never called another constitutional convention since 1889, but when and if it does, representation will surely be a major item of business.

The initial incentive for any state to hold to the idea of two chambers for legislators is now gone anyway. The U.S. Supreme Court decreed in 1964 in *Reynolds v. Sims* that "little federal plans" by the states which duplicated the U.S. Congress were no longer tolerated. The rationale in Congress had been that the House of Representatives existed to represent the people, the U.S. Senate gave each state equal representation. The U.S. Supreme Court case of *Wesberry v. Sanders* in 1964 made it clear that the "one man, one vote" principle of equal representation should be the rule in both houses of state legislatures.

That decision calls into question the need for Wyoming to keep its two chambers based on those old ideas. It calls into question the role of counties within a state; do they have the same rights as states do within a national framework? The effect of these decisions is to require that Wyoming continually reapportion itself—realign its voter districts so that they reflect, as closely as possible, an equal number of people in each district. This, despite the fact that article three, section three of Wyoming's constitution expressly says that "each county shall constitute a senatorial and representative district . . . each county shall have at least one senator and one representative." That is one way the federal government retains its supremacy over state governments, through a battle of the constitutions. That section of ours has been rendered null and

CONSTITUTION  
—OF—  
THE STATE OF WYOMING

PREAMBLE.

We, the People of the State of Wyoming, grateful to God for our civil, political and religious liberties, and desiring to secure them to ourselves and perpetuate them to our posterity, do ordain and establish this Constitution.

ARTICLE NO. I.

DECLARATION OF RIGHTS.

SECTION 1. All power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish the government in such manner as they may think proper.

SECTION 2. In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal.

SECTION 3. Since equality in the enjoyment of natural and civil rights is made sure only through political equality, the laws of this State affecting the political rights and privileges of its citizens shall be without distinction of race, color, sex, or any circumstance or condition whatsoever other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction.

SECTION 4. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by affidavit, particularly describing the place to be searched or the person or thing to be seized.

SECTION 5. No person shall be imprisoned for debt except in cases of fraud.

SECTION 6. No person shall be deprived of life, liberty or property without due process of law.

SECTION 7. Absolute, arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.

*Article Number 1 of Wyoming's constitution contains the "Declaration of Rights," which includes thirty-seven separate sections.*

void. That is a fact of federalism. Democracy is a process by which government works its structures to meet the people; it is not a definition, not a mountain peak that we try to climb and then live blissfully once we have reached the plateau.

Questions of federalism and the relationships of territories and states might be these: Could the President, for instance, replace a territorial governor even though he was the people's choice? Yes. Could he "fire" him because of the laws passed by the territorial legislature? Sure. Did a territory have the right to sell property within their boundaries? No. Wyoming wanted to, but was not allowed to go ahead. Can a territory tax federal land? No. Wyoming as a territory was always wanting to do this, and after 1890 the state has tried to get "back" its federal lands, forgetting that those public lands never were the state's property.

Wyoming has been reluctant to comply with the ruling to realign itself even in spite of a special session of the legislature called by Governor Clifford P. Hansen in 1964 for this very purpose. Finally the courts them-

selves had to devise a plan to equalize—make more democratic—the voting districts within the state. In 1990, the states legislators are still trying to find a way to do their own job before the courts again impose a system upon the state. The leaders of Wyoming are trying to devise a system which retains identification for counties, and does not obliterate them into amorphous voting "districts."

There are no "sovereign," independent states in the nation, just as there are no sovereign, independent counties within states—that is the way federalism works. Can Wyoming create, eliminate or change the borders of counties? Yes. It has done so before and probably will again.

Wyoming always had trouble getting this apportionment business right. In the first session of the territorial legislature in 1869, the U.S. Congress struck down the proposed law for the very first Wyoming apportionment—Congress could and still does do that with territories; it requires the supreme court to strike down a bill of a state.

The U.S. Congress in 1871 directed the appointed Republican governor to proceed and apportion the legislature. Wyoming's first legislature became the only one of the eleven territories to have its laws overturned by Congress. Territorial governors are federally appointed; so that was another of the early experiences in Wyoming by which the people considered themselves subject to outside, "colonial" intervention.

The same 1869 legislature that extended the voting privilege to women made it a crime for a White man to marry a Black woman. The anti-miscegenation law made it a felony for Caucasians to intermarry with "Negroes, Asiatics and Mongolians," and provided a three to seven year prison term as penalty. Marriage of a White with another who was more than one-eighth Negro or Mongolian was simply declared null and void. When the bill was sent to the governor, Campbell vetoed it, but not because it was a bad bill or that they should not have been legislating morality, but because it did not include Indian women as illegal marriage partners as well. But, no mind, the all Democratic legislature overrode his veto in any event.

That first legislature was composed of twenty-one men who literally sat in two houses—separate buildings about a block apart. Only one of them had any previous political experience (he had been a legislator in Nebraska) and after fifty-one days and one hundred separate laws, they adjourned, and only one of them ever got elected again. That initial anti-miscegenation or inter-racial law was later

repealed, but another soon took its place and remained in effect until 1965!

That first legislative session also authorized separate schools for Black people. These racial actions should also be put in the historical context of the nation having come out of the Civil War just four years before. In 1870 the census shows that there were 183 Black people in Wyoming, ninety-four of them in Cheyenne. William J. Hardin, a mixed-blood Black man, was elected to the Wyoming Territorial legislature in 1878 and 1880, the only Black man ever to be elected to a Wyoming legislature.

Wyoming in 1870 had a ratio of four men to every one Caucasian woman. That may have had something to do with the law, but that could not possibly be used as an excuse for the prejudice of the 1913 bill which passed unanimously, and was signed into law by Governor Joseph M. Carey, who had been elected in a Progressive/Democrat reform movement.

The 1913 miscegenation law also outlawed White marriage with "Malays" and "Mulattoes" even though there were no Malaysians in the state. The fact that the state could do these things is another example of federalism; the fact that finally, in 1964, the federal courts began overturning these state laws is the other side of federalism.

The section of the constitution on jails and prisons say that "no person arrested and confined in jail shall be treated with unnecessary rigor." Nobody has yet defined how much rigor that is. It also holds that prisons should be "safe and comfortable." That section is as debatable as the section that directs the University of Wyoming to hold its tuition costs to the student "as nearly free as possible."

The state's right of "peaceable assembly" is qualified; it has to be "to consult for the common good." The U.S. Constitution's provision is absolute and without condition. The section on "treason" is copied directly from the U.S. Constitution and since treason is a federal and not a state crime, it applies only to the national government and need not be included.

The section on "taxation" has it that "all taxation shall be equal and uniform." Wyoming taxes are definitely not equal and uniform; various county sales tax rates, the confusion over property tax rates, different school district and mill levy rates are examples of non-uniformity.

Section ten of article four on the executive branch is something to consider—it is 223 words long and all one sentence. It is the section dealing with "bribery or coercion of or by the governor," and in the midst of other admonitions it says that any Wyoming governor "who

menaces any member by the threatened use of his veto power . . . shall be punished in the manner now or that may hereafter be provided by law." Well, not only have we not decided what that "manner" should be, but the whole idea of having veto power is to let somebody know that you might use it.

The state constitution gives the governor an "item" veto on "any bill making appropriations of money or property," which has been used on various occasions to eliminate parts of bills which do not apply to the main purpose. Legislators sometimes throw these in hoping the executive will not veto the entire bill. The president, however, does not have this "item" power. In 1990, North Carolina is the only state whose governor has no veto power over legislation at all, nor does he have any appointive power. Wisconsin's governor has even a "word veto" and the current governor has used that partial veto 290 times to sometimes change the intent of the legislation altogether.

Sometimes we come up against constitutional language that reminds us that the document was written in a less sensitive age: "All idiots, insane persons, and persons convicted of infamous crimes" are refused the right to vote. Or, "no person shall be imprisoned for debt," which reminds us that in America, being poor has sometimes been a crime. When the document says the "Purity of elections (is) to be provided for" they must have meant honesty.

There are sections that should be repealed: "No person shall have the right to vote who shall not be able to read the constitution of this state." The U.S. Supreme Court has declared these kinds of registration tests unconstitutional.

Wyoming has had no constitutional convention since its original in 1889, but there have been 230 state constitutional conventions across the country. New Hampshire, for instance, has had seventeen (the most); Rhode Island, twelve; Louisiana, eleven; Virginia, six. An increasing number of states, although not Wyoming, require periodically submitting to the voters the question of whether to call a new, updating constitutional convention.

As of 1990, Wyoming has submitted ninety-seven proposed amendments to its constitution to the voters for ratification, fifty-seven of them have been adopted. Wyoming has one of the most difficult procedures for adoption of amendments in the United States. There are seventeen states who have submitted fewer amendments than Wyoming. Delaware is the only state which does not submit proposed amendments to the voters at all; feder-

alism's looseness allows them this procedure. In the time period of their own statehood, however, Alabama has submitted 656, while adopting 452; California submitted 756, adopting 449; South Dakota submitted 347, and adopted 174; Montana, meanwhile has submitted only seventeen and adopted ten.

Wyoming's constitution is 31,800 words long, and that is usually considered to be too long and wordy. Alabama's, however, is 174,000 words long (the longest); Colorado's is 45,679; Oklahoma, which has done much legislating by constitution, has 68,800 words in theirs; meanwhile, the shortest are Vermont's with 6,600 and New Hampshire's with 9,200 words.

A few examples of 1986-87 state constitutional amendments: California adopted a declaration making English the official state language; Utah abolished the office of Superintendent of Public Instruction—this is predictable from a state which spends the least amount per pupil in the nation; Oklahoma finally abolished their poll tax; Mississippi finally required the legislature to provide for the support of public schools and to set up a trust fund for education.

Wyoming began its political and cultural life as a territory organized in 1869 and by then it had already, technically, been governed by Great Britain, France, Spain, Mexico, and the Texas Republic as well as the United States. It had also been answerable to ten different territories of the United States. A large part in the north of the territory was subject to federal treaties with Indian tribes (which is why northern settlement was always slower than the rest of the state). The federal government had army forts and installations within its borders that were not under state control. Well over half of the land was still owned by the federal government and was not available for state taxation or control. The only governments that had directly dealt with Wyoming were their last territory overlords, Utah and Dakota. Utah's law as it applied to Wyoming was now finally, expressly forbidden by the U.S. Government and Dakota had been trying hard to rid themselves of Wyoming because it was on its way to becoming the loudest, most politically powerful part of the old territory. All of this did not add up to a light hearted beginning. There was animosity with the federal government and distrust of about everything else.

Wyoming began as U.S. territory in 1868 under President Andrew Johnson who had lost any national mandate he might have inherited and who had no popular support. Wyoming's entry into the U.S. even had to be postponed, and then two years later it was almost postponed indefinitely. Wyoming became a state in 1890

under President Benjamin Harrison who had not even won the popular vote of the American people (47.8%) and who was not reelected for a second term. Wyoming began with an 1889 state constitution which was "extra legal," that is, it had no official federal sanction because the convention had not been requested by the U.S. government; Territorial Governor Francis E. Warren had simply called it into being, betting that the Congress would consider it in any event and earn an early admission into the Union—he was right. Wyoming had served a long apprenticeship as a dependent territory with second-class citizenship.

Another disturbing phenomena with which to start statehood was that although our political leaders might be rushing to statehood, the people's ratification in 1889 of the constitution was a show of voter apathy; the total turnout was 8,195. The state's constitution went forward with only 6,272 people having voted for it. The last territorial election had shown twice that number of voters, but, generally, there was low participation throughout the territorial period. That is contrasted with the comparatively high voting percentages in the recent twentieth century.

Then there was the comic farce played out in 1892 with the state's second elected governor. Francis E. Warren, who won the first election for governor, only kept the job for forty-five days, October 11, 1890, to November 24, 1890. He resigned and accepted the election by the state legislature for U.S. senator (U.S. senators were not yet elected by the people). The secretary of the state, Amos Barber, replaced Warren as governor since Wyoming has never had a lieutenant-governor position. In any event, we had the first elected governor resigning, leaving the people unsure of just where the power was, and in the process, beginning an unfortunate pattern of governors resigning and taking appointment or election to the U.S. Senate (this process has happened five separate times). But this move by Warren was not nearly so tasteless nor destructive to the state's image as the transfer of the governor's chair from Barber to John E. Osborne. Actually, it was the physical occupation of the office that was in contention. Once again, the Democrats were seen to be the party of disruption, disorganization, and general shabbiness; they seemed determined not to make themselves the state's political party of choice.

Osborne, the Democrat, seemed to have won the 1892 election even though the results took a month to canvass and tabulate. Osborne, anxious to assert his authority, marched into the governor's office on the morning of December 2, 1892, after having a boy crawl on an outside ledge, climb in the window, and open the door:

Barber also showed up for work. They both began to issue proclamations and, like Martin Luther and the Pope, the two governors excommunicated one another. Osborne's friends carried in dinner and candles (no electricity yet) and the police were on guard. The next morning, a Saturday, he accused the state's county clerks of a conspiracy. Finally, the state supreme court ruled that Barber was still governor until January 2, 1893, so on that day Osborne took the oath again and finally took full possession of the office.

Osborne was a doctor in Rawlins who had been mayor and had served one term in the territorial legislature. He also had acted as coroner in 1881 when a mob of vigilantes hanged killer "Big Nose George" Parrott; he had the men hang him twice to make sure he was dead and then made shoes and a pouch from George's skin.

Osborne declined nomination in 1896 and was elected to the U.S. House of Representatives. For decorum, style, taste, and what appeared to most of the state as weird and alien "populist" politics, his term was not an auspicious beginning for the new state.

Continuities would include the fact that Wyoming began as the least populous territory in 1869-70; people were still the scarcest in 1880 and we are still the state with the lowest population in the nation. The population today is less than at least twenty-five individual cities in America, and is a little less than Helsinki, Finland. The territory began with agriculture not being very important to the area's economy and, even though there has been large changes through the years, agriculture only amounts to 3% of the state's valuation in 1990. However, showing continuity ever since 1871 when cattle first became important to the state, agriculture's political representation in the legislature is still disproportionately high. In the 1990 state Senate, ranchers are chairman of four of the ten standing committees; in the House, ranchers chair seven of the ten committees; rancher and farmer over-representation in the Cowboy State has not changed much over one hundred years.

Mining was important then (gold in South Pass and coal along the route of the Union Pacific) and industrial mining is still prominent today. Mining and minerals make up 75% of the states's valuation; Wyoming is the nation's largest coal producer, sixth largest in oil; the state has more trona (soda ash) and bentonite than any state or nation on earth.

The railroad was key to Wyoming then and it still is. The Union Pacific as well as interstate highways both enable us and force us into the transportation role Wyo-

ming has assumed since the days of the Oregon Trail, the thoroughfare and mainstreet of America.

The military and its large federal expenditures on forts, materials, payrolls, and public work projects were an indispensable part of the early Wyoming economy, and it still is; Francis E. Warren Air Force Base and its missile silos are essential to Cheyenne's economy. Federal construction across the state, from post offices to "Federal Buildings" have provided much needed employment. The massive amount of federal funds for highways, dam projects, and irrigation systems are absolutely crucial to the way the state has developed. The cheap grazing fees ranchers still pay for the use of federal lands amounts to a direct subsidy. Wyoming began its grazing history by being able to use these lands free, and without that great subsidy many of our large ranches would never have gotten a start. Wyoming owes a great historical debt to the federal government and its purposeful development of the area's people and resources. In this year of celebration and acknowledgment that partnership should be recognized.

There were no official "urban" settlements in 1869-70 and right now Cheyenne and Casper are busily trying to find ways to manipulate the census in order to demonstrate that one of them is the state's only urban center and therefore eligible for more federal funds.

Politically, we began with a legislatively-elected "delegate" to the U.S. Congress who had no vote in its proceedings. In 1890 we got one congressman (Clarence D. Clark) even though, by virtue of real population, we did not even meet the formula for one representative. Today, with Craig Thomas, that is still the case. The foresight of the U.S. Constitution said each state gets at least one representative—federalism in action once again.

The Organic Act of 1868 was specifically written so as to encourage immigration and business development in the new area; in 1990, Wyoming just amended its laws and its constitution (amendments passed in 1988 and 1986) to make the climate more attractive, and as the secretary of state said, "make Wyoming more business-friendly."

Wyoming has no income tax on businesses (only four states in the nation have no corporate income tax), no inventory tax, no tax on goods in transit or those made for out-of-state sales, the lowest per capita taxes in the nation (except for Alaska), and there are only three states which have a lower property tax than Wyoming. This state's taxes on beer are the lowest in the U.S.; the tax on "hard liquor" is also the lowest in the nation (ninety-five cents per gallon whereas the U.S. average is \$2.67 per gallon); Wyoming has the second lowest gasoline tax

(after Georgia). All this is meant to have the effect of preserving a high profile tourist industry. Both the federal government and a state can enforce these kinds of taxes, and that is another aspect of federalism.

A low percentage of native-born (especially Wyoming-born) people inhabited Wyoming in territorial days, and that is still true. In 1870, the American-born population was 61% of Wyoming's total; 3% were born in Wyoming. The foreign-born in the 1870 census were 3,513 with Ireland the leading country of human export. Native American Indians were ignored in the 1870 census.

Wyoming has been a high migrant state throughout its history—residents from other states—and low in native Wyomingites. In 1988, natives of the state were only 38.4% of the state's population, the fifth lowest percentage in the U.S. In 1900, for instance, only 21% of the population was born here. There was a tremendous turnover of population in early territorial history. Of the men

who were here in 1870, only one in thirteen was still here in 1880. In 1985 there were 33,019 people who moved out of the state, but 25,127 moved in, for a net "out-migration" of 7,892. Overall out-migration from 1980-87 was 42,387 persons. Wyoming is now first in the nation with the largest decline in population.

The state's current investigation into whether to have another men's prison has turned into a debate in many communities. The wrangling and jousting between towns for even such a dubious development as this was there from the start. The Wyoming Territorial Penitentiary was built in Laramie in 1872 (eleven of the prison's forty-four convicts escaped in the first sixteen months of operation). The 1879 session of the legislature decided to continue a practice begun a few years earlier of using the Nebraska prison rather than pay the federal government at Laramie. In 1888, the prison was moved to Rawlins as part of a compromise to keep the university at Laramie. From that time to 1978, when a constitutional amendment was passed, it was not even legal to build a state penitentiary "outside the corporate limits of the City of Rawlins."

The Native American Indian population was not large in early days and it is not now. At statehood, for example, there were 1,850 Indian people by official count (probably low), with a few more Arapaho than Shoshone. Today, there are about 7,125 or about 1.5% of the state's population. The state ranks thirty-ninth (after Alabama) among all the states who have an Indian population. There are about one and a half million Indian people in America, and the highest number is in California with 201,311; the lowest is in Vermont with 984. There are still more Arapaho than Shoshone on the Wind River Reservation, even though the reservation was initially established as a Shoshone reservation by treaty in 1868.

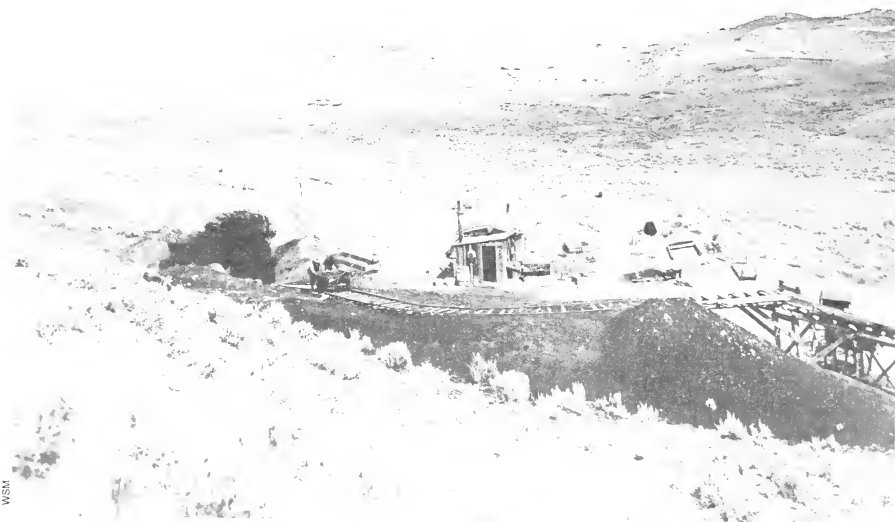
A celebration of Wyoming's history and legacy would be incomplete and unfinished without a recognition of the Indian people living within its borders. As non-Indians ponder their one hundred years here Indians ponder their more than one hundred years in the same area. Their celebration of Wyoming's Centennial cannot be the same as for non-Indians. Theirs is a celebration of survival! They have endured, and after a fashion, prospered when odds were against them.

Wyoming should be able to empathize with this overarching truth. Wyoming has a long cultural memory of its own fragility, as in 1871 when its very existence was almost extinguished and even 1890, when Congress thought they might have made a mistake. Wyoming's defensiveness and its touchiness to outside "interference" is usually symbolized by the federal government and it



*John E. Osborne served as Wyoming's governor from 1893 until 1895.*

*The old—McDonalds Coal Mine in Big Horn County.*



WSM



*The new—strip mining at the Arch Mineral coal operation in Hanna.*

WSM



is historically understandable. The irony is that the Indian's preoccupations, past and present, are exactly the same. They know just as surely that Congress can take their land away. Indian and non-Indian concerns in Wyoming are parallel but still their relations are contentious and their problems are seen to be of different sorts. They are not.

The most successful and durable of Wyoming's statesmen have been those who could best "fetch"—could bring federal subsidies, grants, royalties, and favorable policies home to the state; Indian people are trying to do precisely the same thing. This is federalism at its most painful. The Indians on their reservation in Wyoming do not trust the state nor the federal government and we can hardly blame them. The state in the past continually demanded that the size of the reservation be reduced; it was, three different times! They asked that land within the reservation be made available for non-Indian settlement; it was. A recognition of Indian struggles for their own existence,

sovereignty, and self-government can be a positive step for both cultures. If we have the wisdom to listen, the companion solutions of both government's problems can bring Wyoming into the new age of the twenty-first century.

We are talking about the preservation of cultures; persistent cultures, Indian and non-Indian alike, have their own identity systems—their own symbols of themselves, and that is not the romantic image of the eaglefeathered war bonnet or the tipi, the painted horse, and coup stick. Ironically, it is the reservation that is emblematic; they did not want it at first but it is now all they have left of a homeland—their state, if you will. They will not relinquish the borders of the reservation, water rights, legal jurisdiction on the reservation, oil and gas royalties, the sovereignty of their land. That is the new reality of 1990.

States such as Wyoming have not quite got used to the fact that Indians on a reservation have separate legal status under the U.S. Constitution. They are truly nations within a nation. They were not "given" a reservation,



*This photograph, taken on the Wind River Reservation ca. 1935, was titled "Evidence of Prosperity."*

the reservation is what remained after the rest of their land was taken—it was federally “reserved” for them. They were freely given only diseases, alcoholism, poverty, and death.

The reservation in Wyoming, for instance, is not Wyoming land and it does not fall under Wyoming authority nor jurisdiction. Indians living there are not “Wyoming Indians.” At the time of the U.S. Constitution, before Wyoming was Wyoming, the states gave up sovereignty over Indian tribes. Just as with a contract, Wyoming’s leaders might well have read the small print. There is no inherent power in any one of the states to deal with Indians at all. Indians have “nation-to-nation” status with the federal government and the states. When 1990 state officials are wrangling with the tribes over water rights given to Indians in 1989 by the U.S. Supreme Court, they are not speaking to a body with less authority and power, but to a co-equal, separate “nation.” And when the state asks them to “cooperate” and “compromise,” they are really asking for a compact, just as they would have to do with other states. That realization of status has not yet penetrated. Their sovereignty does not give them immunity, however. They are still subject to federal, state, and local taxes. They are subject to the same laws and have the same rights as other U.S. citizens. Congress does not act as guardian of individual Indians any differently than it does for any other citizen. Full citizenship in the nation and the state for the Indians was confirmed as long ago as 1924; the act of Congress also provided for “dual citizenship”—citizens of a tribe. Indian people are still dependent on the federal government for operating funds, but those funds are so minimal as to leave more than 50% of all American Indians in absolute poverty; Indians have the highest percentage of poverty of any group in the United States.

There is still a popular misunderstanding that Indian tribes receive handouts from the government; they do not. There is no truck which rolls up to the reservation and dumps off money and trade blankets. Most Indians in Wyoming and elsewhere are unemployed, poor, sick, and old. The 1989 monthly tribal per capita payment for the sale of oil on their reservation was one hundred dollars.

The Indians on the Wind River Reservation in Wyoming experience: 71% unemployment; 75% of the people earn less than \$10,000 per year, 46% earn nothing. Average family income as of October, 1988, was \$6,277. Indian people on reservations throughout the U.S. have the lowest life expectancy, highest suicide rate, highest infant mortality rate, and highest rate of diabetes (about 50% of the population at Wind River suffer from

diabetes) of any racial group in the U.S. They also have the highest rates of heart disease, liver disease, pneumonia, tuberculosis, chickenpox, and alcoholism.

The 1990 controversy over the Medicine Wheel in the Big Horn Mountains is rather a synecdoche for Indian-White relations, it represents all the questions of Indian rights, religion and sacred geography, the interlaced cobweb of federal government agencies and non-Indian community boosters. The small road sign by the Wheel that points toward “Indian Relics” is an emblem of the times. Indian people do not see themselves as relics nor do they view their prehistoric artifacts as curiosities.

The dream of the future for American Indians is not the same as the American Dream. That is going to be the trick of the federal system and of Wyoming culture, to see if two separate dreams within the same framework can be accommodated. The mainstream American Dream is still one of individual achievement and success. The Indian dream is a collectivist one, and not even necessarily economic. That is a difficult concept to grasp for a nation which defines itself by its commerce. Ethnic groups have tested American tolerance before, and Wyoming has a long troubled history with minorities. Now the state is facing a group with their own source of power. In 1990, after one hundred years of bristling distrust, it is a time for mutual cultural awareness.

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# The Air Corps, Air Mail and Cheyenne in 1934

by Gerald M. Adams



People gathered at the Cheyenne airport on April 19, 1934, to inspect the Army Air Corps airplanes used to carry air mail for several months during 1934. The main attraction was the Martin B-10 bomber which had just been christened "Wyoming." The aircraft in the upper left is a Douglas B-7 twin-engine bomber and lower right is a Boeing P-12 pursuit plane.

Air mail service across the nation seemed to be doing just fine in early 1934. United Air Lines had the east-west air mail contract with eight modern Boeing 247 twin engine transport planes arriving and departing Cheyenne daily, carrying air mail and up to ten passengers in comfort. A six cent air mail stamp would send a letter from New York City to San Francisco in twenty-four hours. A three cent stamp would deliver a letter by rail over the same route in four days.

Earlier, when the Post Office Department's transcontinental Air Mail Service commenced operation from the newly established Cheyenne Airport on September 8, 1920, single engine wood and fabric DH-4 aircraft, left over from World War I, flew the air mail by day and gave it to the railroad to travel by night. The collection and movement of mail had long been mostly a nighttime function, and by 1924 the Air Mail Service had started flying the air mail by day and night.

To provide financial support and encouragement to civil aviation, the Post Office Department opted in 1926 to have civilian airlines carry the air mail. A contract with Boeing Air Transport put that newly-formed branch of Boeing Aircraft in Seattle to carrying air mail over the Chicago-to-San Francisco leg of the transcontinental route. Other emerging airlines received contracts to fly air mail for other parts of the national air mail route network. Wyoming expected to see more airports in the state as a result of the Post Office Department's move, as well as a significant increase in air travel.

Boeing Air Transport flew the new Boeing single engine B-40, a plane developed and manufactured by the Boeing Aircraft Company in Seattle, capable of carrying air mail and four paying passengers. Boeing soon developed larger and faster planes for their air transport sister company starting with the tri-engine B-80 and the twin-engine B-247. In the early 1930s several airlines, including Boeing, formed a holding company named United Air Lines.<sup>1</sup> This grouping permitted a more centralized operation of a larger segment of the airline business to include air mail contracts. In 1934 Boeing Air Transport still had their name in many places at the Cheyenne Municipal Airport, but the United name would soon stand alone.

The U.S. Department of Commerce Aeronautical Branch listed in early 1934 twenty-eight landing fields in

Wyoming with Cheyenne's being the biggest and best.<sup>2</sup> The people of Cheyenne were very proud of their city's important role as an aviation center and had established a first class airport equipped with all the aids and amenities. The Department of Commerce, supervisor of all civil aviation activities, approved a plan submitted by the Cheyenne mayor and council to oil the three long and wide municipal airport runways.<sup>3</sup> Wyoming Air Service, headquartered in Casper, had the Billings-to-Cheyenne air mail route contract as well as the Cheyenne-to-Pueblo route. Then on February 9, 1934, and without warning, this headline appeared: "ALL AIRMAIL CONTRACTS CANCELLED ON ORDERS ISSUED BY THE PRESIDENT." President Franklin D. Roosevelt announced at his regular afternoon press conference that he had sufficient evidence of collusion or fraud and had, therefore, canceled all domestic air mail contracts and given Postmaster General James Farley authority to use army planes to haul the air mail. The president also directed the secretaries of War and Commerce to put all their facilities at the disposal of the Post Office Department to expedite the army's flying of the air mail.<sup>4</sup>

Earlier Farley had recommended to the president that air mail contract cancellation be effective June 1, thereby avoiding an air mail takeover by the government and allowing the postmaster general time to advertise for bids and negotiate new contracts with the airlines. Roosevelt would have none of that and made the cancellation announcement that afternoon to be effective in ten days, February 19.<sup>5</sup>

Major General Benjamin Foulois, Chief of the Army Air Corps, had assured an administration official on the morning of February 9, that the air corps could carry out the mission of flying the nation's air mail. Without a clear understanding of the enormity of the task or an opportunity to study it, and expecting adequate time to plan and prepare, Foulois had committed the air corps. Factors influencing the general's quick reply included organizational pride and a desire to further the interests of the air corps.<sup>6</sup>

2. *Wyoming State Tribune-Cheyenne State Leader*, January 12, 1934, p. 10. Hereafter referred to as *Tribune-Leader*.

3. *Tribune-Leader*, February 8, 1934, p. 1.

4. *Tribune-Leader*, February 9, 1934, p. 1.

5. John F. Shiner, *Foulois and the U.S. Army Air Corps, 1931-1935* (Washington, D.C.: U.S. Government Printing Office, 1983), pp. 125-128.

6. *Ibid.* Also see Page Shamburger, *Tracks Across the Sky: The Story of the Pioneers of the U.S. Air Mail* (New York: J.B. Lippincott

1. Frank J. Taylor, *High Horizons: The United Air Lines Story* (New York: McGraw-Hill Book Company, Inc., 1962), p. 83. The four companies forming United Air Lines were National Air Transport, Boeing Air Transport, Pacific Air Transport, and Varney Air Lines.

The day following, General Douglas MacArthur, Chief of Staff of the Army, held his own press conference after being advised by Foulois what had taken place the day before. MacArthur said "We will start flying the air mail a week from today and there will be no delay, no difficulty and no interruption." About seventeen hundred planes were available, according to MacArthur, and some nine hundred observation and cargo planes would be used initially with one hundred of the nation's speediest bombing planes held in instant readiness. He also suggested that flying the air mail would not be a permanent army task. Air mail contracts provided half of the revenue for all the nation's airlines, and more in the case of special contractors.<sup>7</sup>

In Cheyenne many agreed the air corps would not fly the air mail for long. However, the feeling persisted that Roosevelt had acted too hastily and the airlines might be back carrying the air mail soon. The manager of the Boeing Division of United Airlines Operations in Cheyenne, Frank G. Caldwell, announced on February 12, that passenger service would be maintained through Cheyenne even though revenue would be significantly reduced without the air mail contract.<sup>8</sup>

The air corps also announced that day that Lt. Colonel Henry H. "Hap" Arnold would command western air mail operations with headquarters in Salt Lake City. With just seven days to go to the start date of February 19, the air corps feverishly hurried to get ready for the biggest challenge it had faced. Air corps planners divided the nation into three zones for purposes of operating the air mail system with eastern, central, and western zones.<sup>9</sup> The Cheyenne Airport would serve as a key point in the western zone. Initially service would be restricted to the main route coast-to-coast, plus principal north-south routes. Feeder and spur lines would not be started until later.

On February 14 a Cheyenne newspaper headline read: "ARMY SHIPS HERE TO FLY AIRMAIL."<sup>10</sup> Captain Bernard T. Castor had arrived in Cheyenne from March Field, California, and taken charge of the growing air corps contingent at the Cheyenne Airport. Soon after arrival, Castor announced that single-engine Curtis A-12 attack planes would be used to carry the air mail east and west from Cheyenne. The plane had two cockpits for the pilot and gunner, and air mail would be carried in the gunner's cockpit. The smaller single-cockpit pursuit planes, capable of carrying two hundred pounds

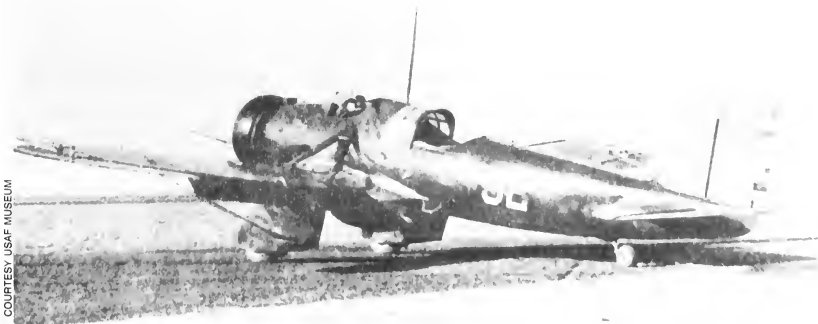
Company, 1964), p. 153. Shamburger wrote that Foulois was called to the White House on the morning of February 9 and asked by Roosevelt if the Army Air Corps could do the job. Shimer, and others, maintain that Foulois did not talk to Roosevelt, but to an assistant to Farley, Harllee Branch.

7. *Tribune-Leader*, February 10, 1934, p. 1.

8. *Tribune-Leader*, February 12, 1934, p. 1.

9. H.H. Arnold, *Global Mission* (New York: Harper & Row Publishers Inc., 1949), p. 143. Arnold rose to five star rank during World War II as Chief of the Army Air Forces and as a member of the Joint Chiefs of Staff and Combined Chiefs of Staff. The Army Air Corps became the Army Air Forces in 1942 and then the U.S. Air Force in 1947.

10. *Tribune-Leader*, February 14, 1934, p. 1.



*The Curtis A-12 attack plane served as an early work horse from Cheyenne east and west in the first few weeks of the air corps carrying the air mail during February, 1934. The rear open cockpit held the mail bags. After the Martin B-10 bombers were introduced on the Cheyenne-to-Oakland route in April 1934, the A-12s were relegated to the safer Cheyenne-to-Omaha route.*

This Douglas B-7 twin-engine bomber had engine trouble and had to make an emergency landing while carrying air mail during 1934 between Salt Lake City and Cheyenne. Air corps mechanics are seen repairing the bomber so it could take off from its desert location and continue carrying the mail.



USAF MUSEUM

of mail, although for only short distances, would be used on the north-south routes from Cheyenne. None of the United equipment, personnel, or servicing facilities would be used by the air corps, according to Castor.

Another article in the February 14 edition of the Cheyenne newspaper echoed the sentiments of many veteran military and civil aviation pilots with this heading: "Doubt Army Ships Can Do Mail Job."<sup>11</sup> A group of air corps pilots at Crissy Field, California, had told a reporter "unofficially" that army planes were not equipped for night and all-weather flying, an important requisite for carrying the air mail. The pilots also told the reporter that the most troublesome part of the entire route would be the one from Cheyenne to the West Coast.

Three days before the scheduled February 19 air corps takeover of the air mail routes, planes were in place at the Cheyenne Airport with pilots and mechanics ready to go. Support equipment such as refueling trucks, towing tractors, and aircraft-mechanic tools were still arriving. The schedule called for twelve east-west planes per day, six Curtiss A-12 attack planes to go east from Cheyenne and six west, and one round trip flight from Cheyenne to Pueblo in a Boeing single-engine P-12 biplane fighter. This amounted to six more A-12 planes on the air corps schedule than United had flown Boeing 247s on the Chicago-to-San Francisco route. Pilot changes would be made at Cheyenne and Salt Lake City.<sup>12</sup>

Two days before entering the air corps takeover of the air mail, this headline reported the first of several disasters which would plague the air corps for years: "THREE ARMY FLIERS DIE PREPARING TO FLY MAIL: THREE LIVES CLAIMED IN MOUNTAINS WEST OF CHEYENNE."<sup>13</sup> Actually, the accidents were quite a ways west of Cheyenne. Lieutenants Jean D. Grenier and E.D. White crashed in their Curtiss A-12 near Oakley, Utah, on a flight to Cheyenne, and Lieutenant J.V. Eastham crashed a twin engine Douglas B-7 bomber near Jerome, Utah. Both aircraft were from March Field. Bad weather contributed to the cause of the accidents, as did the absence of proper instruments in the planes and lack of all-weather flying experience on the part of the pilots. America's most famous pilot, Eddie Rickenbacker, then a vice president of Eastern Air Lines, called the accidents "legalized murder," a phrase the press would use often. Rickenbacker added: "They [air corps pilots] have been thrown into service without proper knowledge or instruction, without proper equipment in planes, and without the knowledge of blind flying, and without knowledge of the routes they are to fly."<sup>14</sup>

11. *Tribune-Leader*, February 14, 1934, p. 8.

12. *Tribune-Leader*, February 15, p. 1; February 16, 1934, p. 1.

13. *Tribune-Leader*, February 17, 1934, p. 1. Also see DeWitt Copp, *A Few Great Captains: The Men and Events that Shaped the Development of U.S. Air Power* (New York: Doubleday & Company Inc., 1980), p. 184.

14. *Tribune-Leader*, February 19, 1934, p. 1.



On the evening of February 18, the last day of civilian airlines flying the air mail, Rickenbacker and Jack Frye, a vice president of Trans World Airlines (TWA), performed a record-setting event and public relations surprise of some magnitude. They piloted a new Douglas twin-engine DC-2 transport cross-country from Los Angeles to Newark, New Jersey, carrying air mail and a party of newsmen. Making only four refueling stops, the new DC-2 transport covered the distance in a record shattering thirteen hours and five minutes flying time.<sup>15</sup> The army air corps would still assume responsibility for flying the air mail on schedule, February 19, but Rickenbacker and Frye had made a point and demonstrated to the country the superiority of civilian air mail operations over what would follow.

Bad weather grounded most of the air corps air mail flights that first day. Snow, sleet, fog, and just plain poor visibility grounded everything in the eastern zone. Southern and western zone planes were only able to fly in spots. Rock Springs, Wyoming, was the western extremity of service. Only two westbound air corps planes that had taken off from Omaha arrived at Cheyenne with air mail.<sup>16</sup> The first plane to arrive, piloted by Lieutenant Edward N. Backus, had left Omaha the night of February 19, and arrived in Cheyenne early dawn Tuesday, February 20.<sup>17</sup> Backus was one of nineteen pilots and eighteen enlisted men stationed at the Cheyenne Airport at that time. The bulk of the air mail on the transcontinen-

tal air mail route that first day also found more air mail than usual. Thousands of philatelists, anxious to have stamped envelopes from the first air corps air mail flight, had stuffed the boxes that day.

It had been assumed in Cheyenne that there would be significant layoffs when United lost the air mail contract, not a heartening prospect in any community in the middle of the worst winter in memory. It was indeed good news to the readers of the announcement on February 20 that, despite loss of the air mail contract, United intended to maintain a full passenger plane schedule to the forty-four cities and twenty states they served. The company also intended to keep their 1,450 employees at work, 220 of which were located in Cheyenne.<sup>18</sup> United was the only major airline to keep their schedule intact and not lay off employees, a costly but wise move as it worked out.

Severe winter flying weather continued to plague the air corps and the air mail schedule for the remainder of February and early March, contributing to delays and aircraft accidents. Only four days into the program, a headline on February 23 read: "FIVE DEAD IN U.S. AIR MAIL EXCURSION."<sup>19</sup> There were additionally three pilots injured and a dozen cracked-up planes.

The death of the two pilots who crashed taking off from the Cheyenne Airport on the night of March 9, in a Douglas O-38E single-engine biplane, was followed by this headline: "ARMY AIR MAIL SERVICE IS REDUCED AFTER CRASH HERE."<sup>20</sup> Roosevelt cur-

15. Copp, *A Few Great Captains*, p. 188.

16. *Tribune-Leader*, February 20, 1934, pp. 1, 5.

17. *Tribune-Leader*, February 22, 1934, p. 1.

18. *Tribune-Leader*, February 20, 1934, p. 1.

19. *Tribune-Leader*, February 23, 1934, p. 1.

20. *Tribune-Leader*, March 10, 1934, p. 1.

*Lt. Arthur R. Kerwin, Jr. (below) graduated from West Point in 1931, and was a member of the first class to go through the air corps flying school. He was assigned to fly the air mail between Cheyenne and Salt Lake and died in the crash of a Douglas O-38E near the Cheyenne airport during March, 1934. The Douglas O-38E (right) enjoyed an excellent reputation, but two crashes that month grounded the plane.*



DAEDALUS FLYER

USAF MUSEUM



tailed air mail service and appointed a board to probe the cause of so many air corps aircraft accidents. He also advised Farley to open negotiations with the airlines for new air mail contracts.

The pilots in the March 9 fatal crash at the Cheyenne Airport, Lieutenants Frank R. Howard, 27, and Arthur R. Kerwin, Jr., 28, were among the first February arrivals in Cheyenne. Coming from March Field, they had flown regular air mail runs to Salt Lake City in the Curtis A-12. The twin cockpit Douglas O-38E observation plane had been recently added to the air mail fleet at Cheyenne. Scheduled as a night familiarization flight to Salt Lake City with no air mail on board (no room for mail with a pilot in each cockpit), Howard in the front seat had the controls for the initial part of the flight.<sup>21</sup> Lieutenant Bernard A. Schriever, a good friend of Howard and Kerwin who had shared a taxi with them from the hotel to the airport, waited in his plane on the taxiway with the engine running for his friends to take off. He would follow them to Salt Lake City with a load of air mail. Schriever noted that Howard taxied directly from the air corps parking area in front of the hangars on Central Avenue to the half-way point of the runway and started his takeoff run to the northwest. Schriever planned to taxi to the end of the southeast-northwest runway and use the full length for takeoff. He expected Howard to do the same thing. Unable to gain sufficient flying speed, and with Schriever watching in horror, Howard and Kerwin crashed and burned five hundred feet from the Oscar Lamm farm home, and seven hundred feet from the northwest corner of the airport. Lamm was the first person on the scene, but the intensity of the fire prevented rescue. Schriever estimated that the O-38E did not have enough power or runway to get safely airborne at Cheyenne's high altitude. Instead of flying to Salt Lake City that night as scheduled, Schriever taxied back to the parking area, shut his plane down, returned to the hotel, and had a stiff drink.<sup>22</sup>

Colonel Arthur R. Kerwin, Sr., USA (Ret), Kerwin's father, had arrived in Cheyenne in 1919 as the first head of Cheyenne High School's newly established ROTC program. The senior Kerwin's poor health caused the Kerwins to move to California in the mid 1920s and young Kerwin finished high school in Los Angeles. Both he and fellow pilot Howard, who hailed from Big Timber, Montana, had graduated from the U.S. Military Academy, classes 1931 and 1932. Young Kerwin had been very happy

to be back in Cheyenne seeing old friends and renewing acquaintances.<sup>23</sup>

Air mail operations remained at a standstill in Cheyenne for more than a week after the president's curtailment order of March 10. Another fatal crash occurred near Cheyenne on March 17 when Lieutenant H.G. Richardson, 25, hit the ground and burned in a Douglas O-38E three miles west of Cheyenne Airport and five hundred yards north of Happy Jack Road on Fort F.E. Warren.<sup>24</sup> A reserve officer, married and living in Cheyenne at 3420 Bent, Richardson had been called to active duty two days before to fly the air mail. This flight had been scheduled to familiarize him with the plane and bring him up to date with air corps procedures. He had previously been a United co-pilot until being laid-off in September. Since that time he had worked at the Crown Oil station at 18th and Capitol Avenue.

On March 19 the air corps announced the resumption of air mail flights, but some changes had been introduced. There were some twenty-four air corps planes at the Cheyenne Airport in late March to fly the air mail. Safety first would now be the motto for all flights, and no night flights would be scheduled on the Cheyenne to Salt Lake City run until further notice. The air corps also planned to use the new twin-engine all-metal Martin B-10 bomber on the Cheyenne-to-Salt Lake City run diverting the fleet of Curtis single engine A-12 planes to the safer Cheyenne-to-Omaha run. The Martin B-10 could carry a much bigger load of air mail well above the highest mountains in Wyoming and Utah. The air corps had grounded all Douglas O-38E planes after the March 17 crash at Cheyenne until a thorough investigation could be conducted.<sup>25</sup>

A month after their arrival in mid-February, air corps officers and enlisted men at the Cheyenne Airport were still waiting for their per diem, or expense money. The fifteen pilots and thirty-nine enlisted men were due about nine thousand dollars. The air corps members at the Cheyenne Airport were more fortunate than most other contingents on temporary air mail duty in various parts of the country because they could draw on nearby Fort Warren for food, quarters, and other items if things got desperate. Still, a lot of credit had been extended by Cheyenne businesses to these temporary duty air corps members. The bill in Congress approving an expenditure of five dollars per diem for officers and enlisted men for

21. *Tribune-Leader*, March 10, 1934, p. 1.

22. Copp, *A Few Great Captains*, pp. 208-209.

23. *Tribune-Leader*, March 10, 1934, p. 1.

24. *Tribune-Leader*, March 17, 1934, p. 1.

25. *Tribune-Leader*, March 19, 1934, p. 1.

every day away from home stations had been delayed. A newspaper article on March 29 announced that checks would arrive in a few days and members of the air corps would release about eighty-eight hundred dollars to local businessmen.<sup>26</sup> So creditors could relax, credit lines again would be reaffirmed, and faith in the U.S. Congress re-established. Still things had come a long way during the past forty years—then Congress paid the troops only three or four times per year.

The formal introduction of the Martin B-10 bomber to the Cheyenne-to-Salt Lake City air mail run did not happen until April 19, but it happened in a big way. A christening ceremony at the Cheyenne Airport occurred that day with Vivian Plummer, the small daughter of Mr. and Mrs. Charles P. Plummer, dousing with champagne the nose of a B-10 bomber named “Wyoming.” This plane would be based at Cheyenne. Participants in the ceremony included Wyoming Governor Leslie A. Miller in his American Legion hat, Fort Warren commandant

Brigadier General Casper H. Conrad, and Cheyenne Mayor Archie Allison. The 20th Infantry Band from the fort, directed by Warrant Officer George Zeph, provided the music. A crowd of some five thousand were there to witness the event and to examine the bomber plus all the other twenty some air corps planes in Cheyenne carrying air mail. Stairs and ramps were placed at each type plane with air corps personnel there to explain the details. The christening arrangements and ceremony were under the auspices of the American Legion Francis E. Self Post #6.<sup>27</sup>

At the same time in Salt Lake City a similar ceremony christened a Martin B-10 bomber with the name “Utah,” which also would fly the Cheyenne run. Both B-10s, “Wyoming” and “Utah,” would take off following the ceremonies with air mail loads. A total of six B-10s would be in service carrying mail between Cheyenne and Oakland, California. The B-10 could carry a ton of air mail at speeds up to two hundred miles per hour with the pilots

26. *Tribune-Leader*, March 27, p. 2; March 29, 1934, p. 2.

27. *Tribune-Leader*, April 16, p. 1; April 19, 1934, p. 1.

*A Martin B-10 bomber being serviced and refueled at the Cheyenne airport on April 19, 1934. The B-10 usually carried a three man crew to include pilot, navigator/bombardier in front bubble, and gunner in back cockpit. When carrying the air mail, the B-10 usually had one or two crew members with the mail loaded in the bomb bay and crew compartments. Note the heavy flying clothes worn by the crew members.*



When the Martin B-10 bombers were introduced to the Cheyenne-to-Oakland air mail route, the plane based at the Cheyenne airport was christened "Wyoming" in an April 19, 1934, ceremony. Participating were (l to r) Fort F.E. Warren commandant Brigadier General Casper H. Conrad, Governor Leslie A. Miller in American Legion hat, Miss Vivian Plummer who christened the plane with champagne, Captain Bernard T. Castor commanding the air corps air mail contingent at Cheyenne airport, and Cheyenne Mayor Archie Allison. A crowd estimated at five thousand attended the ceremony.



warm and dry in a plexiglass enclosed cockpit. Lieutenant Signa A. Gilkey, pilot of the "Wyoming," formerly from Buffalo, Wyoming, took off for Salt Lake City shortly after the ceremony with seven hundred pounds of air mail.<sup>28</sup>

For every major crash taking place with the air corps flying the air mail, there occurred at least ten minor crashes. A Curtis A-12 plane, flown by Lieutenant William J. McCray, suffered an engine failure on April 2, but landed safely on the Plains Dairy Farm pasture near Cheyenne. Then on April 24, the "Wyoming" landed at the Cheyenne Airport without extending the landing gear. The article reporting the incident started out: "Bomber Landed Minus Wheels: Army Pilot Put Ship Down Here Without Use of Landing Gears." The pilot, western zone operations supervisor Major Charles B. "Barney" Oldfield from Brooks Field, Texas, had flown a load of air mail from Salt Lake City and failed/forgot to extend the landing gear before landing at Cheyenne. Retractable landing gears were very new in 1934 and warning devices alerting the pilot that the landing gear had not been extended were primitive and often did not work. The plane slid to a stop on the oil surface runway with engine cowling bent and the tips of the two three bladed propellers curled back, but no structural damage to the plane. Castor, Cheyenne operations officer,

announced that the B-10 would soon be repaired and in the air.<sup>29</sup>

The air corps was ready on May 4 to give the air mail back to the airlines. The collusion and fraud suspected by Roosevelt as being prevalent among the airlines, and mentioned in his February 9 press conference, had not been proven. Criticism of air corps aircraft accidents poured from Congress, but no appropriations that would help correct the equipment and training deficiencies. Pilots and ground crewman had worked hard to prove the air corps could do the job. And the air corps had done a much better job after the standdown in March with only one more fatality, but most people agreed that flying the air mail belonged to the civilian airlines. The nation stood ready for the Post Office Department to announce that United Air Lines had contracts for three routes that included the Newark-Cheyenne-Oakland run. They were ready to start as soon as schedules could be worked out by the Post Office. "Great glee" permeated the Cheyenne Airport where more than two hundred United employees had sat on "anxious seat" for weeks, even though there

28. *Tribune-Leader*, April 16, p. 1; April 19, 1934, p. 1.

29. *Tribune-Leader*, April 23, p. 2; April 24, 1934, p. 2.

had been no layoffs.<sup>30</sup> The air corps contingent at Cheyenne was ready to return to home stations.

The time for United to take over the air mail operation from the air corps at Cheyenne was set for Tuesday, May 8, at 12:01 a.m. Castor and United Operations Manager Frank Caldwell coordinated all the details. These two organizations at Cheyenne had enjoyed the friendliest of relations throughout this operation and Caldwell and Castor worked together well. The Cheyenne Chamber of Commerce urged Cheyenneites to use the air mail more and give United some much needed business. The chamber also reminded Cheyenne that United had continued their regular service after losing the air mail contracts and had no layoffs anywhere in their system even though they were losing money.<sup>31</sup>

The last day of air corps mail service proved to be as spectacular as the last day of the Rickenbacker-Frye transcontinental record setting air mail flight on February 18. B-10 bombers made the coast-to-coast flight in a record setting fourteen hours and eight minutes flight time. This amounted to an hour and three minutes more than the flight of Rickenbacker and Frye, but the air corps flew a 250 mile longer route, Newark-to San Francisco, and made several more mail stops. The "Wyoming" flew the Cheyenne-to-Salt Lake City part of the route in an hour and fifty-two minutes.<sup>32</sup> Until the Boeing B-17 came along several years later, the B-10 was the "Air Power" wonder of the day. It was the first all metal bomber, and the first of the two hundred mile per hour bombers. It had a nine hundred mile range.

Flying the air mail had not been a rewarding experience for the air corps. Twelve pilots had been killed, twenty-five more injured, and sixty-six airplanes damaged or destroyed. Air corps Chief of Staff Foulois had been bitterly criticized for assuring the administration in early February that the air corps could do the job. Foulois ever after accepted responsibility for the decision, but felt that it had been an excellent and much needed test of air corps abilities and shortcomings. Years later, General H.H. Arnold said that he thought any other air leader in Foulois' place would have done the same thing.<sup>33</sup>

In view of the extreme turbulence that both military and civil aviation had experienced in the first half of 1934, Roosevelt felt compelled to appoint a special committee

headed by former Secretary of War Newton D. Baker to investigate the air mail fiasco and the general condition of the air corps. The air mail experience vividly highlighted the deficiencies of air corps instrument and night training programs, and produced a change in attitude for need of an all-weather capability in air corps planes. It also led to more supervision and control of civil aviation.

As the air corps closed down in Cheyenne and personnel moved back to their home stations, United Air Lines announced an expansion plan on May 17 that would make Cheyenne a major aviation center. United would close their shops at Chicago and Oakland and centralize repair and maintenance in Cheyenne. Soon some sixty additional employees, plus their families, arrived in Cheyenne with new maintenance equipment being installed in the brick hangars on Central Avenue. With United solidly back in the air mail hauling business, Wyoming Air Service also regained a former route, the north-south Cheyenne-to-Billings route as well as the Cheyenne-to-Pueblo run.<sup>34</sup>

Since established in 1920, the Cheyenne Airport had served as a leading aviation facility in the West, but after 1934 it rose to major national aviation center status until well after World War II. Then aircraft technology and demographic changes caused the airlines to look for strategically located "hub" airports near big cities. Denver's Stapleton Airport replaced the Cheyenne Airport.

Wyoming celebrates its Centennial Year in 1990 and the Cheyenne Airport observes its seventieth anniversary, an excellent occasion for Wyomingites to review the past. The state was only thirty years old when Air Mail Service pilot Jimmie Murray carried the first air mail from Omaha in September, 1920, flying a DeHavilland DH-4. The Cheyenne Airport has been a part of many notable aviation events in those seventy years since, and there will be more. The air corps' seventy-five day tenure in 1934 at the Cheyenne Airport flying the air mail is yet another significant aviation event in the history of that excellent aviation facility. Cheyenne has a rich aviation heritage that deserves to be preserved.

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30. *Tribune-Leader*, May 4, 1934, p. 1.

31. *Tribune-Leader*, May 5, p. 2; May 7, 1934, p. 1.

32. *Tribune-Leader*, May 8, 1934, p. 1.

33. Arnold, *Global Missions*, p. 143.

34. *Tribune-Leader*, May 17, p. 1; May 25, p. 2; June 1, 1934, p. 5.

# WYOMING SCRAPBOOK

by Rick Ewig

## WYOMING WOMEN JURORS

The *Cheyenne Daily Sun-Leader* in 1895 provided an opportunity to Wyoming's women rarely seen at the time in the Equality State. The male editorial staff allowed the state's women to publish a "Women's Edition" on Thanksgiving Day, November 28, 1895.<sup>1</sup> Edited by Mrs. J.O. Churchill and Gertrude W. Dobbins, the newspaper contained articles written by women concerning higher education for women, the "new woman," the newly founded Wyoming Historical Society, along with articles written by Susan B. Anthony and Elizabeth Cady Stanton. Sarah Wallace Pease wrote another interesting article about her experiences as one of the first woman jurors.<sup>2</sup>

The historical record of women serving on juries in Wyoming is mixed. The territory received national attention when, in 1870 and 1871, women served on grand and petit juries in Laramie. Women also served on juries in Cheyenne in 1871. However, it was not until the mid-twentieth century that Wyoming's legislature passed a law granting this right to women permanently.

The right for women to serve as jurors was seen as a right granted by the woman suffrage bill signed into law by Governor John A. Campbell on December 10, 1869. It is interesting to note, however, that just three days earlier, Campbell signed a bill concerning Wyoming juries which stated "all male citizens" could serve.<sup>3</sup> Women were not included.

The Albany County Commissioners began the process when they selected women and men to serve on juries and submitted the list to the county clerk. When the regular March term of the District Court of the First Judicial District of the Territory of Wyoming began on March 7, 1870, women were included in the pool of potential jurors.

John H. Howe presided at this term of the district court. Howe, originally from New York state, had risen to the rank of brigadier general in the Union Army during the Civil War. On April 6, 1869, President Ulysses

S. Grant appointed him Chief Justice of Wyoming's Territorial Supreme Court. At the time the three justices of the Supreme Court also served as district judges, allowing them the opportunity to rule on appeals of their district decisions. Also present at the opening of the term was Associate Justice John W. Kingman, a civil war veteran from New Hampshire. Grant appointed him to the court the same day as Howe.<sup>4</sup>

It is difficult to determine precisely why the Albany County Commissioners included women on their list of jurors. The most common explanation is that Laramie was not a safe place to live during its early days.<sup>5</sup> Robberies and garrotings supposedly were daily occurrences and murder far too frequent. Apparently the city government had failed to bring peace and respectability to the town and it was difficult to get juries to convict the criminals. According to this explanation, the last alternative was to have women serve on juries. Said one author, the women, "unhampered by outside influences, would conscientiously consider cases and convict wrongdoing."<sup>6</sup> The women would clean up the town.

Sarah Wallace Pease, in her account, gave a different reason. According to her, men were concerned by the fact women had not exercised their right to hold office and to vote to the fullest, believing apathy was the cause. In order to shake the women up and force them to prove their competency, the men conspired and had them drafted for jury duty.<sup>7</sup>

1. *Cheyenne Daily Sun-Leader*, November 28, 1895.

2. "Woman as Jurors, Recollections of One of the Grand Jurors of Albany County," by Sarah Wallace Pease, *Cheyenne Daily Sun-Leader*, November 28, 1895, p. 11.

3. "An Act to Provide for Selecting, Summoning and Impanelling Jurors," *General Laws, Memorials and Resolutions of the Territory of Wyoming, 1869*, pp. 231-233.

4. Biographical information about Justices Howe and Kingman taken from Virginia Cole Trenholm, ed., *Wyoming Blue Book*, vol. I (Cheyenne: Wyoming State Archives and Historical Department, 1974), p. 116.

5. For examples see "The First Woman Jury," Works Progress Administration (WPA) 157, Historical Research and Publications, Parks and Cultural Resources Division, Department of Commerce (HR&P), Cheyenne, Wyoming; "Wyoming Women First in World to Be Jurors," by Agnes Wright Spring, *Wyoming Stockman-Farmer*, November 1938, pp. 3, 7; and Grace Raymond Hebard, "The First Woman Jury," *Journal of American History*, VII (1913): 1293-1341.

6. "Wyoming Women First in World to Be Jurors," by Agnes Wright Spring, *Wyoming Stockman-Farmer*, November 1938, p. 3.

7. "Woman as Jurors, Recollections of One of the Grand Jurors of Albany County," by Sarah Wallace Pease.

A third explanation was proposed by Judge Kingman in his autobiography.<sup>8</sup> He wrote that there was “very little public sentiment” for the suffrage act just after its passage, and “much bitter feeling against it.” These feelings surfaced, when

The [Albany] county officers, thinking to throw ridicule on the act and make trouble for the judge [Howe], summoned nearly all the respectable women in the city as jurors, making both the grand and petit juries largely composed of women. This made their husbands furious, as they looked upon it as an insult as well as an outrage. Threats of violence were made unless the Judge would discharge all the women at once, and public feeling was aroused to a dangerous pitch.

Knowing what to expect, Howe insisted Kingman join him at that opening session to support him in ruling that women could serve on juries.

Whichever one of the three explanations is most correct, the fact remains the women who were summoned for duty showed up in the Laramie courtroom on March 7, 1870. Once court convened, Howe addressed the grand jurors.

Ladies and Gentlemen of the Grand Jury: It is an innovation and a great novelty to see, as we do to-day, ladies summoned to serve as jurors. The extension of political rights and franchise is a subject that is agitating the whole country. I have never taken an active discussion, but have long seen that woman was a victim to the vices, crimes and immoralities of man, with no power to protect and defend herself from these evils. I have long felt that such powers of protection should be conferred upon women, and it has fallen to our lot here to act as pioneers in this movement, and to test the question. The eyes of the whole world are to-day fixed upon this jury of Albany County. There is not the slightest impropriety in any ladies occupying this position and I wish to assure you that the fullest protection of the court shall be accorded to you. . . . It seems to me to be eminently proper for women to sit upon grand juries, which will give them the best possible opportunities to aid in suppressing the dens of infamy which curse the country. I shall be glad of your assistance in the accomplishment of this object. . . .<sup>9</sup>

At the conclusion of the address the judge asked if anyone wished to be excused. Three did, one woman and two men. Howe excused them and ordered the sheriff to

summon three replacements. One of those was Sarah Wallace Pease.<sup>10</sup>

Then came a challenge to women jurors. Stephen W. Downey, one of the attorneys of the court, moved to “quash” the panel because the law stated only “male citizens” were qualified to serve as jurors. Howe heard the arguments of both sides of the issue, and overruled the motion. Kingman concurred. Women could serve and four took the oath along with eleven men.<sup>11</sup> Howe had written Downey on March 3 of his intention to allow women to serve. “. . . they will have a fair opportunity at least, in my court, to demonstrate their ability in this new field, . . .” “Of their right to try it, I have no doubt.”<sup>12</sup> The petit jurors also were selected March 7. Again, women were included.<sup>13</sup>

The events which transpired in Laramie on that spring day made headlines around the country. For the first time women were to serve on juries. Not everyone was pleased with this, however.

The *Cheyenne Daily Leader* especially did not look favorably on the new development. Even before women had sat on any jury, an editorial appeared in the *Leader* ridiculing the idea. According to this, the idea of cooping up the women in a bad smelling courtroom while the husbands were home taking care of the children was ludicrous. Also, the women would not reach the correct verdicts because “the feminine mind is too susceptible to the influence of the emotions to allow the supreme control of the reason.”<sup>14</sup> After the petit jury heard its first case—a murder case—and reached its first verdict—guilty of manslaughter<sup>15</sup>—the *Leader*, after dutifully reporting on the fatigued state of the ladies of the jury, again spoke against the practice of mixed juries, hoping to protect the health of women.

8. John W. Kingman, “Honorable John W. Kingman: Associate Justice of the Supreme Court, Wyoming Territory,” *Annals of Wyoming* 14 (July 1942): 225.

9. “Judge Howe’s Address to the Women Jurors,” *Cheyenne Daily Leader*, March 8, 1870, p. 1, c. 1.

10. Albany County Minute Docket, March 1870, p. 140, Archives and Records Management, Parks and Cultural Resources Division, Department of Commerce (A&RM), Cheyenne, Wyoming.

11. Albany County Minute Docket, March 1870, p. 140, A&RM.

12. Grace Raymond Hebard, “The First Woman Jury,” pp. 1306-1307. According to Kingman’s autobiography, both he and Howe were the ones who convinced Governor Campbell to sign the woman suffrage bill. John W. Kingman, “Honorable John W. Kingman, Associate Justice of the Supreme Court, Wyoming Territory,” pp. 224-225.

13. Albany County Minute Docket, March 1870, p. 141, A&RM.

14. “Females in the Jury Box,” *Cheyenne Daily Leader*, March 1, 1870, p. 1, c. 3.

15. It has been written in several accounts about the first woman jurors, that just before the jurors in the murder case took the first poll, the minister’s wife on the jury had everyone kneel and pray. The author could find no primary source to document this story.

# The Cheyenne Daily Sun-Leader.

CHEYENNE, WYOMING, THURSDAY, EVENING, NOVEMBER 25, 1895.

## WOMEN'S EDITION.

... It will be almost a miracle if some of the delicate women who are going through this painful ordeal do not sink under the weight of their privations and return to their homes with shattered nerves and reduced health. . . .

In fact, if we candidly trace the physiological argument to its foundation we must acknowledge that there are conditions in the very nature of woman which render her participation in lawmaking and in judicial affairs especially unwise and dangerous to the public interest. . . .

... The sooner it dies (as die it must,) the earlier our people may congratulate themselves on having escaped one of the most unnatural and dangerous innovations ever projected in this or any other age.<sup>16</sup>

Women serving on juries did have an effect, not on the health of women, but on the behavior of juries and their verdicts. Just as Esther Hobart Morris had demonstrated that a woman could ably carry out the duties of justice of the peace, the Laramie women illustrated what effect they would have in court. Because of their presence, the men dropped the practices of drinking and gambling during deliberations. Smoking and the chewing of tobacco by the jurors while on duty stopped. The women did not accept so quickly pleas of self defense, and were more likely to convict and impose longer sentences.<sup>17</sup> Governor Campbell, in his address to the 1871 territorial assembly, stated: "It is simple justice to say that the women entering, for the first time in the history of the country, upon these new and untried duties [voting, holding office, and jury duty], have conducted themselves in every respect with as much tact, sound judgment, and good sense, as men."<sup>18</sup> Even the *Cheyenne Daily Leader* by 1871 had reversed its earlier protestations. "It is certainly true that ladies are usually possessed of a finer sense of justice and right than men, and it may be that our judicial proceedings are to become characterized by less of the passions and prejudices of human nature, who so often of late years operate to defeat justice. Let all honor be accorded to Chief Justice Howe, for securing a fair trial of female jurors."<sup>19</sup>

The experiment of including women on juries ended, however, in 1871. Howe resigned from the supreme court in October of that year.<sup>20</sup> The man who replaced him as chief justice, Joseph W. Fisher of Pennsylvania, apparently did not believe that jury duty was a right provided by the suffrage law and so the trial period ended. During the following years women served on juries only a few



The front page of the Thanksgiving, 1895, edition of the Cheyenne Daily Sun-Leader.

times, and only when women were being tried.<sup>21</sup> Finally, in 1949, the state legislature amended the law concerning juries and under qualifications used the words, "he or she." The change took effect January 1, 1950.<sup>22</sup>

16. "The Lady Jurors," *Cheyenne Daily Leader*, March 14, 1870, p. 3, c. 3.

17. T.A. Larson, *History of Wyoming*, 2nd ed., rev. (Lincoln: University of Nebraska Press, 1978), p. 85.

18. *Council Journal of the Legislative Assembly of the Territory of Wyoming, Second Session, 1871*, p. 18.

19. "Female Jurors," *Cheyenne Daily Leader*, March 8, 1871, p. 1, cc. 2, 3.

20. Trenholm, ed., *Wyoming Blue Book*, vol. 1, p. 116.

21. T.A. Larson, *Wyoming: A Bicentennial History* (New York: W.W. Norton & Company, Inc., 1977), p. 86.

22. *Session Laws of Wyoming, 1949*, pp. 105-106.



## RECOLLECTIONS OF ONE OF THE GRAND JURORS OF ALBANY COUNTY

It may be that the old pioneers will take an interest in reviewing with me some of the events connected with the early history of Wyoming.

The law granting the right of suffrage to women was enacted in 1870. It did not appear to have any marked effect upon the women of Wyoming. They went on with their usual avocations, and conducted the details of their household affairs, as before and indeed attended strictly to their own legitimate business. They did not seem to realize the increased responsibilities thrust upon them and the possibilities of their new situation. And strange as it may seem they did not demand of the men all the offices nor seek to encroach upon their regular lines of business, nor did they in any way undertake to appropriate any of their rights, honors or emoluments. In fact they behaved themselves with such becoming dignity and humility that the men at last became alarmed at their apathy, and began to conspire together and plan a method by which the women would be compelled to show their mettle and prove whether or not they were competent to bear the burdens that had been laid upon them.

As a result of this conspiracy a number of ladies were drawn on the regular panel, to serve upon the grand and petit juries, at the following spring term of court. This proceeding was considered as a very ludicrous affair, and the ladies took that view of the matter until they were convinced that they would be obliged to appear in court or subject themselves to the alternative of being arrested for contempt, and perhaps fined and sent to jail. Consequently when the eventful day arrived, they were all in attendance, with the mutual understanding that they each would request to be excused.

When we reached the old club house or barracks which was dignified by being called a court house, we found it filled to overflowing with a crowd of men and women. The bench and bar were well represented, being composed of the three district judges of Wyoming and many of the prominent lawyers in the territory.

Chief Justice Howe formally opened the court, making an earnest appeal to the ladies to serve as jurors. Remarks were also made by Associate Justices Kingman and Jones. The principal argument advanced for such an

innovation was the fact that hitherto they had been unsuccessful in securing juries that would convict well known guilty criminals tried in their courts, because the community at that time was led and controlled by lawless and desperate men. That there was a public sentiment that did not demand that criminals should be punished for their deeds. The judge believed that women serving on the juries would remedy this flagrant evil, and inaugurate a better condition of things. They were fully convinced that women would do conscientious work, and that a marked reform would speedily follow. I hardly need to add that such words of commendation coming from the bench had the desired effect, and as a result every woman who had been called to serve was promptly sworn in.

This event caused great commotion, both at home and abroad. In Laramie little else was talked about. Many old fogies (not mentioning the young ones) were filled with righteous indignation that their places should be usurped by women, who did not know anything about law. The law breakers and evil doers—and their name was legion—were filled with consternation, not feeling so secure as in the past, though there were many ready to assure them that they had nothing to fear for women were chicken hearted, and their tender feelings could easily be wrought upon by the lawyers, who would only have to make a pathetic appeal and the women jurors would show the white feather and capitulate at once.

It did not require much time to find out that the women jurors were not made of that kind of material, but that they were disposed to do about what was right. The jurors seemed to be imbued with the idea that justice must be meted out, though the heavens fall, and their subsequent acts verified this conviction.

The news was wired far and near, and every paper in the country made favorable or unfavorable comment, usually the latter. In due time letters and telegrams came pouring in, making inquiries. As soon as possible newspaper correspondents came flocking to town from all parts of the country as well as special artists from leading illustrated periodicals. We were constantly importuned to sit for our pictures in a body, that we might be correctly produced in the pictorials, but we steadfastly refused, although great pressure was brought to bear by the court officials. The members of the juries of which I was a member were obliged to go to the court room once each day, to carry in bills, and I remember that we went closely veiled, fearing that special artists would make hasty sketches of us. Of course we were caricatured in the most

*continued on inside back cover*

# BOOK REVIEWS

*The View from Officers' Row: Army Perceptions of Western Indians.* By Sherry L. Smith. Tucson: University of Arizona Press, 1990. Illustrated. Map. Index. Notes. Bibliography. xix and 251 pp. Cloth \$24.95.

This book belongs on the shelf of anyone interested in the history of Indian Wars in the trans-Mississippi West. In *The View from Officers' Row*, Sherry Smith creates a context for a deeper understanding of the seemingly continuous stream of skirmishes, battles, and campaigns between the United States Army and the Indians of the American West in the last half of the nineteenth century. In her introduction, the author tells us that her study has two purposes. The first is to partly meet historian Paul Prucha's challenge to place the frontier army "in the social and intellectual milieu of the times," and the second is "to expand the discussion of white attitudes towards Indians by examining a largely ignored but crucial group on the frontier" (p. xviii). Thus, the focus here is not the tactics and strategy of those who commanded the Indian-Fighting Army, but their beliefs concerning their adversaries and their way of life.

In eight chapters, Smith carefully examines the views held by regular army officers and their wives, discussing perceptions of Indian character, Indian women, causes of the Indian wars, Indian policy, Indian warfare, and the value of Indian scouts. As might be expected, these White observers praised and condemned Indian practices in terms of their closeness to or deviation from Anglo-European standards, and while officers and their wives were not always unanimous in their opinions, most held similar views. Smith points out that the military's vanguards envisioned themselves as occupants of an unhappy middle ground, lobbied by rapacious Whites to rid permanently the West of all aborigines and loudly assailed by eastern humanitarians to get out of Indian affairs altogether and leave resolution of the problem to civilians.

The author concludes that the men who led the army in the West were ordinary people, caught in a sometimes morally difficult and often brutal struggle for control of a continent, who saw merits in both the primitive life and that promoted by White America. While officers and their mates viewed Indian warfare as inevitable, they did not delight in the prospect, often expressing compassion for those whose cultures they believed doomed. Most officers concluded that the blame for warfare rested on both sides.

*The View from Officers' Row* is based primarily on personal documents: unpublished diaries, letters, and memoirs or printed essays, articles, and books. Exhaustively mined were manuscript collections at the U.S. Army Military Institute, the U.S. Military Academy, the Library of Congress, the Newberry Library, the Bancroft Library, the Colorado Historical Society, the Denver Public Library, the University of Colorado, and other repositories. These together with the published sources provided ample material to render the judgments made. The study would have been strengthened by researching the military-oriented newspapers and periodicals of the period; namely the Army Navy Journal, the Army Navy Register, Winners of the West, the National Tribune, United Service Magazine, and the Journal of the Military Service Institution of the United States. The latter, for example, held a competition in 1880 for the best essay by an officer on "Our Indian Question," eventually publishing offerings of five entrants.

Hopefully, *The View from Officers' Row* is the first in a number of studies that will fully develop the social ideas of the participants in westward expansion. This book sets a high standard for those to come.

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*New Directions in American Indian History.* Edited by Colin G. Calloway. Norman: University of Oklahoma Press, 1988. Figures. Table. References. Index. 288 pp. Cloth \$29.50.

*New Directions in American Indian History* is the first volume in the *Bibliographies in American Indian History Series* of the D'Arcy McNickle Center for the History of the American Indian. Two types of books will characterize the series: bibliographical essays, and volumes of topical lists of publications in American Indian history. During the past decade or so, the McNickle Center has played an important role in spurring research in American Indian history by sponsoring conferences, research grants, and publications. If the present volume is an indication, the new series seems consistent with the high standards of other McNickle Center programs.

The need for such a series is apparent. As editor Colin G. Calloway notes, more than five hundred books and articles about Indian history appear yearly. *New Directions* emphasizes publications which have appeared since 1983, especially material which was not considered in an earlier McNickle Center publication, William Swagerty's *Scholars and the Indian Experience* (Indiana, 1984). Divided into two parts, the first section examines Indian scholarship topics which have received "considerable attention." Included is an essay about Indians and quantitative methods by Melissa L. Meyer and Russell Thornton, an article about Indian women by Deborah Welch, and a general discussion of the twentieth century Indian experience by James Riding In. Other essays in Part One address writings about the southern plains, recent developments in Metis history, and Indian legal issues. While every article is a distinctive contribution to Native American historiography, several of the essays merit further comment. Meyer and Thornton argue that quantification holds great promise for students of American Indian history. Welch attributes the recent outpouring in Indian women's history to the upsurge of scholarship in both women's history and twentieth century Indian history. Riding In challenges scholars to move beyond a discussion of Indian policy formulation to research on implementation of that policy on the "grassroots" or reservation level.

Part Two chronicles three "emerging fields" within Indian historiography, areas where substantial scholarly work is either lacking or undeveloped. Douglas R. Parks argues that most scholars have either inadequately or incorrectly utilized insights derived from an all too often superficial study of Native American linguistics. "Fundamental insights" into historical problems are lost because of the "benign neglect" of careful American Indian linguistic study, according to Parks. Ronald L. Trosper demonstrates that many Indian-related historical questions could benefit from the application of basic economic models. Particularly interesting is Trosper's discussion of economist Albert Hirschman's criticisms of dependency theory, currently the most widely-employed model in addressing economic questions in Third World, colonial, or American Indian economies. The final essay in the volume is Robert Brightman's discussion of Native American religious change. Brightman asks scholars to focus on the process of change within the Indian community itself, rather than using traditional categories of analysis (i.e. Christian v. non-Christian traits, or traditional v. modern practices).

*New Directions in American Indian History* is an important addition to the historiography of the American Indian.

The essays help orient the reader to recent academic trends while also pointing the directions toward future research. While the quality and utility of the nine essays varies, most scholars or general readers of American Indian history will find this volume useful.

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*Adventures in Old Wyoming, 1879-1884.* Compiled by Peggy H. Benjamin. Lincoln, Nebraska: Midgard Press, 1988. Illustrated. 71 pp. Paper \$5.95.

*Adventures in Old Wyoming* (not to be confused with the newspaper column of a similar name, "In Old Wyoming," written by John C. Thompson) is a collection of oral histories of Cap Haskell. Haskell, although not a native of Wyoming, was, according to cattleman John Clay, "... an eastern boy, active and very intelligent." Haskell was in Wyoming for a five year period and at that time worked on the Seventy-One Quarter Circle Ranch which later became the Wyoming Cattle Ranch Company on the Sweetwater. He was the foreman of the ranch and Clay was the manager.

The author, Peggy H. Benjamin, is the niece of the late Haskell and in this work has shown how interesting and informative oral histories/stories can be. She has compiled sixteen of Haskell's stories that he related to her, and has published in an easy and readable form incidents that her uncle experienced during his tenure in Wyoming. Although most of the stories relate to Haskell's Wyoming stay, there is other reference to Indian activity in Colorado. The histories relate a variety of different happenings, from the Ute uprising in 1879, to the death of the Ute sub-chief, Captain Jack, just one year later in Colorado, then other, "lighter" stories.

Each story is contained in one chapter. Each chapter length is different. Stories range from two pages for one chapter titled, "The Buffalo Hunt," to another titled "Seventy One Ranch," which is in excess of eleven pages.

Ms. Benjamin has managed to capture the essence of the oral histories and, therefore, makes each and every story seem alive. In a time when so many of us neither write letters, or indeed, feel we do not have the time to write, it is gratifying that Benjamin has somehow managed to retain such memories and to have this material published for the enjoyment and interest of others.

Although as stated in the prologue, these histories were told to Benjamin's great-nieces and nephews, the style in which the stories are told would be suitable for both adults and younger readers alike. As we try to educate the young of the pioneer lifestyle, it is the personal reminiscences that appear to hold the most interest for young people. And, with this type of publication becoming more and more popular, in place of those unwritten letters, perhaps more people will realize the importance of recording oral histories/stories/reminiscences for the future generations. After all, we can only see so many television reruns about life—way back then—before we realize that we too can leave a legacy or, at least record a part of the life as we know it now and have it available for those yet to come.

This is not Benjamin's only published work. She also has to her credit, *Years to Share, Adventures of the Pale Pink Umbrella*, and other short adult fiction. A yarn teller herself from way back when, Peggy Haskell Benjamin's latest offering should be read.

JEAN BRAINERD

*Division of Parks and Cultural Resources  
Wyoming Department of Commerce*

*The Post Near Cheyenne: A History of Fort D.A. Russell, 1867-1930.* By Col. Gerald M. Adams, USAF (Ret.). Boulder, Colorado: Pruett Publishing Company, 1989. Illustrated. Index. Bibliography. Sources. Maps. 268 pp. Cloth \$21.95.

At long last comes a much-needed history of Wyoming's long-lived military bastion and Cheyenne's community partner, Fort David A. Russell. Established in 1867 to guard the advance of the Union Pacific Railroad through southeastern Wyoming, the fledgling camp on Crow Creek quickly blossomed into a substantial military post whose role seemed ever-changing and ever-secure.

Like other posts on the Northern Plains Indian frontier, Russell's garrisons participated in most aspects of the infamous Indian wars. It was never exactly on the cutting edge of these affairs, yet invariably the army hierarchy duly appreciated the mobility of the post's garrisons, its position on the railroad, and the quartermaster and commissary resources available at the adjacent, affiliated Cheyenne Depot, which operated until 1889.

Fort D.A. Russell ultimately boasted of two assets that cut it distinct from dozens of other frontier military instal-

lations. In the wake of the army's centralization policies of the late 1880s, venerable posts like Fort Laramie, Fort Bridger, and Fort McKinney were abandoned, as were dozens more. The army preferred to consolidate large garrisons on major rail lines, and D.A. Russell served their purposes perfectly.

Even more important, few western military garrisons had so influential a patron as did Fort D.A. Russell in Governor and U.S. Senator Francis E. Warren. For some forty years the well-connected and politically astute Warren, father-in-law to John Joseph Pershing, wielded a powerful hand, always insuring a substantial mission and a large garrison for his pet Wyoming fort. Moreover, Warren's involvement brought prestige to the post and state, the residents of Cheyenne revelling in presidential visits and the ceremonies attendant to garrison maneuvering. As well, Cheyenne benefited directly by the post's seemingly endless building and rebuilding. It was logical and well-nigh predictable that the fort be renamed to honor Warren after his death in 1929.

Fort Francis E. Warren survived the passing of its champion, the post assuming training and POW functions during World War Two. After the war Warren's infantry and horse cavalry foundation was slowly transformed into an air force base, and today's Strategic Air Command missiles belie the historical roots of this unique Old West outpost. A quick drive, however, down Randall Avenue, is an immersion in vintage red brick barracks, cavalry stables, parade grounds, and other vestiges of a remarkable legacy.

By any measure, a chronicle of Russell's/Warren's long history is a formidable undertaking. Aside from brief glimpses here and there, no formal Fort D.A. Russell history existed. But Gerald Adams, a retired Air Force colonel who completed his career at F.E. Warren Air Force Base, more than meets the challenge. Adams demonstrates considerable research prowess wading through century-long runs of official post and departmental records and equally daunting files of successive Cheyenne newspapers to chronicle the cycles of this significant post. His narrative is pleasingly well-paced and remarkably complete. Though *The Post Near Cheyenne* bears the subtitled dates 1867-1930, the "Epilogue," which is actually the longest chapter in the book, rounds the story into 1988.

Other appointments heighten the pleasure of this survey history. Dozens of historic photographs and many careful maps complement the text. A narrative "Sources" section leads one deep into primary and secondary material. And a fascinating final section of 1980s photos showing buildings and landmarks of the post as we see

them today, is an armchair traveler's delight. Gerald Adams' *The Post Near Cheyenne* deserves not only Wyoming's widest favorable attention, but addition to all Northern Plains collections.

PAUL L. HEDREN  
Williston, North Dakota

*A Wyoming Mosaic: People and Places.* By Norman R. Dickinson. Published by Letha L. Farley-Dickinson, 1987. Illustrated. 216 pp. Paper.

In the preface to this anthology of writings and speeches by her late husband, Letha L. Farley-Dickinson reminds us that the collection is not intended as a "comprehensive history of Riverton and Fremont County." Rather, she says, the speeches and writings may be viewed as a "mosaic."

And "mosaic" is indeed an appropriate descriptor as the forty items of pieces listed in the table of contents cover a wide variety of topics. Predictably, there are pieces dealing with early Riverton and the various "firsts"—the first jail, first theater, first Christmas, first religious service — which magnetically attract the attention of local history buffs.

There are also individual pieces dealing with specific families, such as the Watson and Megown families, and individuals, such as Dulcie Lowe and the first woman mayor, Susan Wissler. Interesting as these and other biographical references are, especially to readers with local connections, one may ponder the rationale for their selection. The same question might be raised regarding some of the less familiar places, such as Wahaba and Neble, early townsites near Riverton. Even though their histor-

ical significance may not be immediately clear, they reflect the historical curiosity of their investigator.

Given Mr. Dickinson's commitment to education, the various pieces dealing with early country schools in the area seem a natural focal point. Using county records, school district minutes, and oral histories, the author traces the growth and decline of various schools. The financial schools seem ironically prophetic. Most interesting are the personal accounts, such as Lavinia Dobler's recall of her parents and the old one-room schoolhouse known as the Dobler school. One wishes that additional first person accounts might have been included.

Another set of pieces in the mosaic deals with the more celebrated topics in the history of Fremont County: the Oregon Trail, Atlantic City, South Pass City, the Pony Express, Sacajawea, Esther Hobart Morris, and Episcopal minister Father John Roberts. While all of these topics have been subject to closer scrutiny elsewhere, their inclusion here is certainly merited.

When one finishes reading *A Wyoming Mosaic: People and Places*, one emerges with a keener perception of an important community in an historically significant county. But one also emerges with an increased appreciation for the manysidedness of Norman R. Dickinson: his enthusiasm for social studies, his commitment to the craft of teaching, his love for students, his active role in and support of community affairs, his dedication to protecting the environment, his civic leadership, and his spiritual sense of the rich interconnectedness of life's mosaic. One is certainly indebted to Letha L. Farley-Dickinson for keeping alive the writings, memory, and contributions of her late husband.

ROBERT A. CAMPBELL  
University of Wyoming

# BOOK NOTES

*Devils Tower: Stories in Stone.* By Mary Alice Gunderson. Glendo, Wyoming: High Plains Press, 1988. Illustrated. Index. Sources. xv and 141 pp. Paper \$9.95.

Devils Tower became America's first National Monument in 1906. It took more than eighty years for the first comprehensive history of Devils Tower to be published. This book covers the geology of the tower, the early days and Indian legends, exploration, classic climbs, and media events surrounding Devils Tower, such as the October, 1941, parachute jump of George Hopkins onto the monument. Forty-two photographs are included, many never before published.

*Minnesota in a Century of Change: The State and Its People Since 1900.* Edited by Clifford E. Clark, Jr. St. Paul: Minnesota Historical Society Press, 1989. Illustrated. Index. Notes. xiii and 607 pp. Cloth \$35.95. Paper \$19.95.

In this book, the Minnesota Historical Society Press has taken a topical approach to twentieth century Minnesota history. Scholars from the fields of History, Historical Geography, Political Science, and American Studies contributed seventeen essays which "help readers to understand the forces that have created the Minnesota we know at the end of the twentieth century." Topics include the image and identity of Minnesotans, the rural experience, the major manufacturers, agriculture, the labor movement, and women, among others. Such a study exploring twentieth century Wyoming history is sorely needed.

*Colorado: A Summer Trip.* By Bayard Taylor. Edited by William W. Savage, Jr., and James H. Lazalier. Niwot: University Press of Colorado, 1989. xxvi and 185 pp. Cloth \$19.95. Paper \$9.95.

Bayard Taylor, a noted American travel writer, journeyed to Colorado Territory in 1866 and toured the area on horseback. The *New York Tribune* published his letters describing the area. He commented on such topics as the construction of the Union Pacific Railroad, the myth of the Great American Desert, the passing of the frontier, and the future of Colorado as America's Switzerland. This book reprints Taylor's letters and includes an informa-

tive introduction by William W. Savage, Jr., and James H. Lazalier.

*A History of Star Valley 1800-1900.* Written and compiled by Forrest Weber Kennington and Kathaleen Kennington Hamblin. Salt Lake City, Utah: Valley Graphics, 1989. Illustrated. Index. Bibliography. 289 pp. Paper.

*A History of Star Valley* studies the nineteenth century history of western Wyoming and eastern Idaho, especially the Star Valley area. Included in the book are chapters which look at the land, the Indians, the fur trade, the outlaws, and the settlers. Also included are area records from the 1880 and 1900 censuses.

*Documents of United States Indian Policy.* Edited by Francis Paul Prucha. Second Edition, expanded. Lincoln: University of Nebraska Press, 1990. Index. Selected Bibliography. xiii and 338 pp. Cloth \$35.00. Paper \$12.95.

Francis Paul Prucha, in the first edition of *Documents of United States Indian Policy*, made an important contribution to American Indian historiography by including in his book 161 "essential documents which marked significant formulations of policy in the conduct of Indian affairs by the United States government." Those records spanned the years 1783 to 1973. Thirty-eight new documents, covering the years 1972 to 1988, and dealing with such topics as self-determination, economic development, water rights, legal education, and archaeological resources, are included in the second edition. Every document is prefaced with an introductory paragraph and can be found in a detailed index.

*Omen of the Hawks.* By Virginia Cole Trenholm. The Woodlands, Texas: Portfolio Publishing Company, 1989. 301 pp. Cloth \$18.95.

Virginia Cole Trenholm, noted authority of the Arapaho and Shoshone Indians, has written her first novel. It is the story of an Indian brave's coming of age during the 1850s. Tupaku, the young Bannock tribesman, is adopted by Chief Washakie of the Shoshones, and is torn between the two tribes. His adventures not only bring him

into contact with some of the well-known personalities and events of the era, but also allow for an exploration of the Native Americans' everyday life, traditions, and practices.

*"and then there was one."* By Mabel E. Brown and Elizabeth Thorpe Griffith. Newcastle, Wyoming: News Letter Journal, 1989. Illustrated. Bibliography. Map. 61 pp. Paper \$10.00.

The histories of Cambria, Field City, also known as Tubb Town, and Newcastle, located in the northeastern part of Wyoming, are chronicled in this book. The important events are described as well as the personalities, schools, businesses, and everyday life of the communities. Many historic photographs are included as is a list of Newcastle city officials who served from 1889 to 1989.

*Blue Star: The Story of Corabelle Fellows, Teacher at Dakota Missions 1884-1888.* By Kunigunde Duncan. New Introduction by Bruce D. Forbes. St. Paul: Minnesota Historical Society Press, 1990. Originally published: Caldwell, Idaho: Caxton Printers, Ltd., 1938. Illustrated. Index. xxxiv and 216 pp. Paper \$8.95.

Corabelle Fellows left her Washington, D.C. home in 1884 and became a church-sponsored teacher among the Native Americans living in Dakota Territory. She taught English, art, and domestic science to students on the Rosebud, Pine Ridge, and Cheyenne River reserva-

tions. Her teaching career ended in 1888 when she married Samuel Campbell, a Dakota mixed-blood. Fifty years later she related her experiences as a White teacher on Indian reservations to Kunigunde Duncan, who then compiled them in this book, first published in 1938. This new edition contains an introduction by Bruce D. Forbes, professor of religion at Macalester College.

*U-bet: A Greenhorn in Old Montana.* By John R. Barrows. Introduction by Richard B. Roeder. Lincoln: University of Nebraska Press, 1990. Originally published: Caldwell, Idaho: Caxton Printers, 1934. Illustrated. 282 pp. Paper \$8.95.

In 1880, John Barrows, sixteen years old at the time, traveled from Wisconsin to Montana. After a short stead as a handyman, he became a cowboy and worked for the DHS Ranch until 1885. Barrows eventually became a lawyer, was elected twice to the Montana state legislature, and late in life became a writer. Upset with the distorted descriptions of the West in dime novels, which he had read growing up, and popular in movies in the 1930s, Barrows agreed to write a book presenting a more accurate picture of western life. First published in 1934, *U-bet: A Greenhorn in Old Montana* describes the transformation of the frontier in central Montana during the 1880s, the lives of the Indians in the area, and provides a realistic portrayal of the life of a cowboy. This edition contains an introduction by Richard Roeder, history professor at Carroll College, Helena, Montana.

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## LETTER TO THE EDITOR

In reviewing my article, "Reform is Where You Find It," published in the Spring 1990 edition of the *Annals*, I noticed that I inadvertently attributed Benjamin Sheeks' 1920 letter to Archibald Slack (p. 21). Sheeks, not Slack, believed that Julia Bright influenced her husband, William, as the councilman contemplated introducing the woman suffrage bill. The information in footnote #81 is correct, as printed.

Thanks for the opportunity to note this correction.

MICHAEL A. MASSIE  
Laramie, Wyoming

# INDEX

## A

- Abney, J.C., 35-36  
Adams, Gerald M., "The Air Corps, Air Mail, and Cheyenne in 1934," 131-139  
Adams, Gerald M., *The Post Near Cheyenne: A History of Fort D.A. Russell, 1867-1930*, review, 146-147  
*Adventures in Old Wyoming, 1879-1884*, compiled by Peggy H. Benjamin, review, 145-146  
Agriculture, 124  
Air Mail, 132-139  
"The Air Corps, Air Mail, and Cheyenne in 1934," Gerald M. Adams, 131-139  
Altorus Gulch, Wyoming, 4  
Anderson, William Marshall, 83-84  
Anthony, Susan, B., 26, 38, 49, 63-64  
Arnold, Henry H. "Hap," 133, 139  
Arnold, Mrs. M.B., 10, 64  
Ashley, William, 76  
Atlantic City, Wyoming, 4, 17

## B

- Backus, Edward N., 135  
Baker, Nathan A., 25-26, 28-30, 33, 36-37, 41-42, 47, 49, 51-52, 59, 71  
Ball, John, 82, 84  
Barber, Amos, 124  
Barr, R.S., 13  
Bates, Redelia, 7-8, 28, 30, 38  
Bell, Faye V., *Vanguard of the Valley: A History of the Ten Sleep Country*, review, 106-107  
Benjamin, Peggy H., compiler, *Adventures in Old Wyoming, 1879-1884*, review 145-146  
Blair, Duncan, 16  
Boeing Air Transport, 132-133  
Bradley, C.D., 26, 47  
Brady, James W., 9, 35-36, 43, 64  
Brainerd, Jean, review of *Adventures in Old Wyoming, 1879-1884*, 145-146  
Bridger, Jim, 76-77  
Bright, Julia, 5-6, 8, 11-12, 18, 21, 61-62, 70-71  
Bright, William H., 3, 5-12, 15, 17-21, 33-36, 41, 46, 49-50 55-56, 59-64, 69-72; photo, 7  
Brown, M.C., 56-69  
Bryant, Edwin, 84, 87

## C

- Caldwell, Frank G., 133, 139  
Calloway, Colin G., editor, *New Directions in American Indian History*, review, 144-145  
Campbell, John A., 6, 9-10, 13, 15-16, 21, 23, 27-28, 30, 33, 36-37, 46, 50, 52, 54-55, 59, 63-69, 140, 142; photo, 38  
Campbell, Robert A., review of *A Wyoming Mosaic: People and Places*, 147

- Campbell, Robert A., review of *Vanguard of the Valley: A History of the Ten Sleep Country*, 106-107  
Campbell, Walter, 46, 66  
Carey, Joseph M., 30-31, 46, 50, 54, 57, 60, 63, 66  
Cariso Mine, 4-6, 11  
Carter, William A., 79, 86-87  
Castle, C.E., 16  
Castor, Major Bernard T., 133, 139; photo, 138  
Cemeteries, Cheyenne, 91-99  
Chalmers, Robert, 82  
"The Cheyenne Cemetery: Reflections of the Life of a City," Dennis Frobish, 90-99  
Cheyenne, Wyoming, 25, 28, 41-42, 91-99; photos, 29, 32, 90-91, 93, 132-139; map 98  
Corlett, W.W., 53  
Curran, S.M., 8-9, 27, 34, 36, 43-44

## D

- Dakota Territory, 26, 47  
Deer Creek, 80-81  
Democrats, 118-119  
Devil's Gate, 85-86  
Dickinson, Anna, 7, 28-30, 33, 42  
Dickinson, Norman R., *A Wyoming Mosaic: People and Places*, review, 147  
Douglas, J.N., 35-37, 67, 69  
Downey, Stephen W., 141

## E

- Eastham, J.V., 134  
Edgerton, Keith, review of *The Last Best Place: A Montana Anthology*, 105-106  
Ewig, Rick, "Wyoming Women as Jurors," 140-142

## F

- A Fair Chance for a Free People: Karl E. Mundt, United States Senator*, by Scott Heidepreim, review, 108-109  
Farley, Postmaster General James, 132  
Federal Government, 124-125  
Federalism, 120-122, 125, 128  
Fitzpatrick, Thomas, 76-77, 85  
Fleming, Sidney Howell, "Solving the Jigsaw Puzzle: One Suffrage Story at a Time," 23-72  
Flores, Verla R., *Forgotten Frontier: A History of Wyoming Coal Mining*, review, 104-105  
Ford, B.L. (Barney), 60  
*Forgotten Frontier: A History of Wyoming Coal Mining*, by A. Dudley Gardner and Verla R. Flores, review, 104-105  
Fort Bridger, 88-89  
Fort Laramie, 79



Fosher, John, 16-18  
 Foulois, Major General Benjamin, 132-133, 139  
 Frobish, Dennis, "The Cheyenne Cemetery: Reflections of the Life of a City," 90-99  
 Frye, Jack, 135, 139

G

Gardner, A. Dudley, *Forgotten Frontier: A History of Wyoming Coal Mining*, review, 104-105  
 Green River, 88  
 Gilkey, Signa A., 138  
 Grenier, Jean D., 134  
*Growing Up With the Country: Childhood on the Far Western Frontier*, by Elliot West, review, 107-108  
 Gulliford, Andrew, review of *Growing Up With the Country: Childhood on the Far Western Frontier*, 107-108

H

Haas, Herman, 36, 44  
 Hadley, Amelia, 83, 86  
 Hamilton City, Wyoming, 4  
 Harrison, Dr. F.H., 16  
 Hastings, Lansford, 85  
 Hayford, J.H., 46-47, 50-51, 53-54, 61, 63, 70-71  
 Hebard, Grace Raymond, 13, 19, 61-62, 70-71  
 Hedren, Paul L., review of *The Post Near Cheyenne: A History of Fort D.A. Russell, 1867-1930*, 146-147  
 Heidepreim, Scott, *A Fair Chance for a Free People: Karl E. Mundt, United States Senator*, review, 108-109  
 Herrick, William, 36  
 Hines, Celina, 79  
 Holbrook, John, 7, 9, 36, 43-44  
 Howard, Frank R., 136  
 Howe, U.S. Marshal Church, 7, 46, 60  
 Howe, Chief Justice John H., 10, 21, 28, 33, 37, 46, 59, 140-143

I

Ice Springs, 86  
 Independence Rock, 84-85

J

Jenkins, Therese A., 58, 72  
 Johnson, President Andrew, 117-118  
 Johnston, William G., 79, 82-83, 87-88  
 Jones, Judge William T., 15, 46  
 Jordan, Roy A., "Wyoming: A New Centennial Reflection," 114-130  
 Judson, Phoebe G., 80

K

Kerwin, Arthur R., Jr., 136; photo, 135  
 Kingman, Justice John W., 10, 13, 21, 44, 46, 49-50, 53, 56, 60, 64-65, 68, 70, 140-141, 143; photo, 45

Kittredge, William, editor, *The Last Best Place: A Montana Anthology*, review, 105-106  
 Kuykendall, William L., 16, 47, 56

L

Larson, T.A., 3, 18-19  
*The Last Best Place: A Montana Anthology*, edited by William Kittredge and Annick Smith, review, 105-106  
 Laycock, Frederick, 35-36, 67  
 Lee, Edward M., 8-10, 14-15, 21, 24, 27-28, 30, 33-34, 40, 46, 50-57, 63, 69; photo, 51  
 Leeper, David, 84-85  
 Long, Priscilla, *Where the Sun Never Shines: A History of America's Bloody Coal Industry*, review, 104-105

M

MacArthur, General Douglas, 133  
 Massie, Michael A., "Reform is Where You Find It: The Roots of Woman Suffrage in Wyoming," 2-22  
 McCray, William J., 138  
 McDermott, John D., review of *The View from Officers' Row: Army Perceptions of Western Indians*, 144  
 McGlashan, John R., 80, 83  
 May, Richard M., 80, 82-83  
 Menefee, James, 7, 9, 35-36, 44  
 Miller, Louis, 30, 36, 60  
 Miners Delight, Wyoming, 4, 17  
 Moore, William Howard, review of *A Fair Chance for a Free People: Karl E. Mundt, United States Senator*, 108-109  
 Morris, Edward, 11, 18  
 Morris, Esther H., 3, 11-16, 18-21, 34-35, 41, 50-51, 55-56, 58-59, 61-63, 69-71; photo, 12  
 Morris, John, 11, 14, 18  
 Morris, Robert, 11-12, 14, 18-20, 41, 61, 63  
 Munger, Asabel, 82  
 Munkres, Robert L., "Wyoming's Trails: A Centennial Celebration," 74-89  
 Murrin, T.D., 35-36, 52-53

N

Native Americans, 127-129  
 Neil, Caroline, 14-15, 55  
*New Directions in American Indian History*, edited by Colin G. Calloway, review, 144-145  
 Nickerson, Herman G., 16, 19-21, 50, 62-63  
 Nuckolls, S.F., 16, 33

O

O'Donnell, John, 13  
 Oregon Trail, 75-89; maps, 74-75, 84  
 Oregon Trail—river crossings, 81-82  
 Oregon Trail—weather, 78-79  
 Osborne, John E., 124

## P

- Paine, Mrs. Seth, 20  
 Pease, L.D., 64  
 Pease, Sarah Wallace, 140-143; photo, 48  
 Pease, Sarah Wallace, "Recollections of One of the Grand Jurors of Albany County," 143  
 Pierce, D.J., 47  
 Plummer, Vivian, 137; photo, 137  
 Plunkett, Horace, Sir, 47, 51, 56-58  
 Poole, W.C., 35-36  
 Post, Amalia, 10, 20, 33, 59, 63-64  
 Post, Morton E., 47  
*The Post Near Cheyenne: A History of Fort D.A. Russell, 1867-1930*, by Gerald M. Adams, review 146-147  
 Powell, John Wesley, 116  
 Pratt, Orson, 80, 83-84, 87  
 Pringle, Virgil, 78

## R

- "The Recollections of One of the Grand Jurors of Albany County," Sarah Wallace Pease, 143  
 "Reform Is Where You Find It: The Roots of Woman Suffrage in Wyoming," Michael A. Massie, 2-22  
*The Revolution*, 26, 34, 38, 52, 55  
 Richardson, H.G., 136  
 Rickenbacker, Eddie, 134-135, 139  
 Rockwell, William, 7-8, 34-36, 43  
 Roosevelt, President Franklin D., 132-133, 135, 138-139  
 Ryan, Tom, 4

## S

- Schriever, Bernard A., 136  
 Schulte, Steven C., review of *New Directions in American Indian History*, 144-145  
 Sebree, Howard, 8, 36, 69  
 Shaw, Anna Howard, 62  
 Shedd, Frankie, 85  
 Sheeks, Benjamin, 7-9, 14, 16, 34-36, 43-44, 50, 69-70  
 Slack, Artemus, 11  
 Slack, Edward Archibald, 11, 14, 16, 18, 20, 34, 61, 70  
 Smith, Janet, 20  
 Smith, Annick, editor, *The Last Best Place: A Montana Anthology*, review, 105-106  
 Smith, C.W., 83  
 Smith, Elizabeth Dixon, 87-89  
 Smith, Jedediah, 76-77  
 Smith, Sherry L., *The View from Officers' Row: Army Perceptions of Western Indians*, review, 144  
 "Solving the Jigsaw Puzzle: One Suffrage Story at a Time," Sidney Howell Fleming, 23-72  
 South Pass, 86-87  
 South Pass City, Wyoming, 3-21, 59-60; photo, 2  
 Stillman, James W., 12-14  
 Strong, J.C., 8, 34, 36-37, 43-44, 47, 50

- Sutton, Sarah, 83, 85  
 Sweetwater Valley, 83-84  
 Swingle, John, 13, 15

## T

- Talbot, Theodore, 88-89  
 Thornton, J. Quinn, 78-79, 87  
 Train, George Francis, 28, 118  
 Triggs, J.H., 60

## U

- Union Pacific Railroad, 26-27, 117-118  
 United Air Lines, 132-133, 138-139  
 U.S. Army Air Corps, 132-139  
 Unthank, A.H., 80-81

## V

- Vanguard of the Valley: A History of the Ten Sleep Country*, by Faye V. Bell, review, 106-107  
*The View from Officers' Row: Army Perceptions of Western Indians*, by Sherry L. Smith, review, 144

## W

- Wardman, George, 7-9, 16, 35-36, 67  
 Warren, Francis E., 123-124  
 Waters, Lydia Milner, 85  
 West, Elliot, *Growing Up With the Country: Childhood on the Far Western Frontier*, review, 107-108  
*Where the Sun Never Shines: A History of America's Bloody Coal Industry*, by Priscilla Long, review, 104-105  
 White, E.D., 134  
 Whitehead, J.R., 32, 34-36, 43, 52, 56  
 Willcox, Hamilton, 47, 50, 55  
 Willow Creek, 4, 11  
 Wilson, C.E., 16  
 Wilson, George, 34, 46, 67  
 Wilson, Posey S., 9, 30, 36, 63  
 Wind River Reservation, 128  
 Wolff, David, review of *Forgotten Frontier: A History of Wyoming Coal Mining*, 104-105  
 Wolff, David, review of *Where the Sun Never Shines: A History of America's Bloody Coal Industry*, 104-105  
 Woman Suffrage, 3-21, 23-72, 118-119, 140-143  
 Wyoming Air Service, 132-139  
 "Wyoming: A New Centennial Reflection," Roy A. Jordan, 114-130  
 Wyoming Constitution, 120-123  
*A Wyoming Mosaic: People and Places*, by Norman R. Dickinson, review, 147  
 "Wyoming Women as Jurors," Rick Ewig, 140-142  
 "Wyoming's Trails: A Centennial Celebration," Robert L. Munkres, 74-89

hideous manner. Some of us were represented as holding babies in our laps, and doubtless you all remember the threadbare couplet that appeared in about every newspaper and still has a place in the guide books:

“Baby, baby, don’t get in a fury;  
Your mamma’s gone to sit on a jury.”

Some of us were represented as sharp nosed spinsters, holding a favorite cat or lap dog. They gave our genealogies from way back, in fact told all about us, but it must be confessed that what they said was not very flattering. However, we managed to survive the trying ordeal, for what cared we for such sublunary things, then fired by a lofty ambition and patriotic zeal to serve our country? We did feel deeply chagrined by the acts of one woman on that jury, and her conduct irritated us continually. She would persist in sitting there and knitting all day long.

The grand jury was in session three weeks, and worked diligently and faithfully. Prosecuting Attorney Downey brought before the jury a large number of bills for consideration, including several murder cases and also those charged with horse and cattle stealing and illegal branding. The option prevailed then that a man would rather be tried for murder than for stealing a Texas steer.

It did seem rather odd to hear the county attorney in reading the bills, begin: “We, good and lawful male and female jurors, on our oaths do say,” etc. The jury had been charged by the court to make an investigation of all evil doing coming to its knowledge, without fear or favor. Therefore we felt it our sworn duty to bring to the notice of the jury some delicate matters, which subjected our moral courage to most severe tests. It was the ladies of that grand jury that demanded that the law should be enforced regarding the closing of saloons on Sunday. This proved to be a bomb thrown into the camp of the enemy. Nothing that had been done before created so much ill feeling. All day Sunday the streets were filled with excited people. Deep and loud were the anathemas heaped upon the heads of that jury. The court was persistent in enforcing the law, and imposed fines and penalties without stint.

It is recommended that if a bad law exists, that the most effective way to get rid of it, is to enforce it until it becomes obnoxious, hence it is needless to state that the next session of the legislature with a zeal worthy of a better cause, lost no time in repealing this particular law.

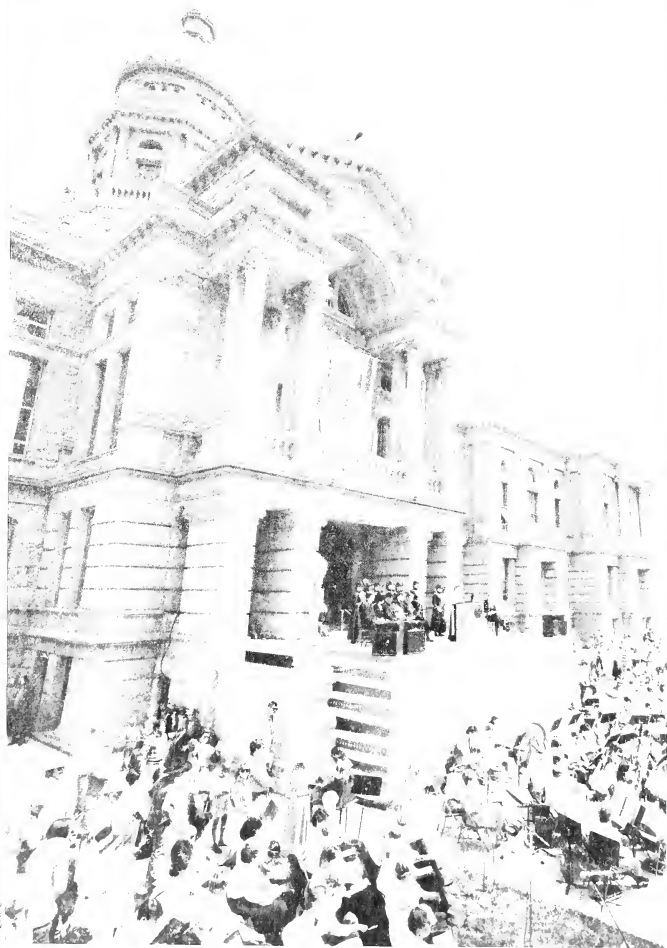
One of the petit jurors was the wife of a Methodist minister, and a devoted Christian woman. Before attending court each day she prayed, asking divine aid to guide them to a just verdict. The story had obtained credence that former juries were in the habit of flipping coppers, shaking dice or playing a game of cards to determine what that verdict should be. The prisoner at the bar, in one case, was a handsome young man, of pale, dreamy Byronic type, and it was whispered that the susceptible feminine heart would be duly influenced by these external things. However, they promptly voted a verdict of guilty, and he was sentenced to ten years imprisonment.

Finally the grand jury closed its labors, and were taken in to the court room to be discharged. Greatly to our surprise Chief Justice Howe took occasion to highly commend the services of the jury. He complimented the ladies in the highest terms of praise. This coming from such a source had a tendency to make us believe that we would make just as good jurors as the men, if not a great deal better. We were also convinced that Judge Howe was the embodiment of all that was wise, great and good, and the best judge Wyoming ever had or ever would have.

Ladies were called to serve in Laramie during three successive terms of court, when Judge Howe resigned his position on account of ill health. His successor did not favor the service for women on juries since which time the law has not been enforced.

It having been ascertained that I was one of the few women that served as a juror in the pioneer days of Wyoming, the task has devolved upon me to give its history, but I can sincerely wish with you, my readers, that the narrative had fallen into abler hands than mine.

*Sarah Wallace Pease*



SWP-0

*On July 10, 1890, several thousand spectators at the state Capitol witnessed the re-enactment of the official statehood ceremony which occurred on July 23, 1890.*